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INDEPENDENT NEWS & VIEWS

October 1, 2001

WHATEVER HAPPENED TO GUN CONTROL?

DICK DAHL REPORTS



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Webmaster: Steve Anderson

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Communications/Circulation Director: Luli Buxton

Circulation Manager: Peter Hoyt

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Editorial

Who's Driving the WCAR?

On paper, the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Forms of Intolerance (WCAR) seems like an idea whose time has come. By focusing global attention on one of the world's most insidious evils and assembling thousands of human rights activists, such an event has the potential to galvanize an international movement for racial justice. In reality, the event, scheduled for August 31 to September 7 in Durban, South Africa, is mired in a morass of motives and evasions, and is proving to be even more unwieldy than its title.

For starters, the United States has threatened to take its ball and go home "if it has problems with the language of the draft declaration." Other nations also have expressed opposition to some of the declaration language, but the United States is the only nation threatening an outright boycott.

In particular, the United States opposes the formulation linking Zionism to racism, and language that refers to the trans-Atlantic slave trade as a "crime against humanity," which would lay the groundwork for an argument that former slave-trading nations owe economic reparations. As of this writing, the Bush administration has not decided whether to participate. Bush also may decide to participate but send a low-level delegation as an implicit rebuke.

Conference supporters in the United States have pushed for the participation of Secretary of State Colin Powell as an example of how this country has integrated the descendants of enslaved Africans, and as a high-level expression of national concern for issues of racism. But California Rep. Tom Lantos, the ranking Democrat on the House International Relations Committee and this nation's main liaison to the conference, said Powell's participation is unlikely. "Unless the anti-Israel language is removed," said Lantos, a Holocaust survivor, "it would be inappropriate" for Powell "to dignify the conference with his presence."

The U.S. presence has already been muted. While Washington contributed \$6 million to the 1995 U.N. Conference on the Status of Women in Beijing, it provided just \$250,000 for the Durban affair. Organizers note distressingly that without high-level U.S. participation, the conference will lack

the gravity it deserves and lessen the impact of any resulting resolutions.

A U.S. boycott of such a significant global conference would be an outrageous abdication of global leadership, but it would fit the arrogantly isolationist image the Bush administration has been so busy cultivating. It would be a mistake, however, to single out this administration as an aberration. The United States also boycotted the two previous U.N. racism conferences in 1978 and 1983. At that time, the objectionable language concerned condemnations of Zionism and the apartheid policies of South Africa (a country then supported by the United States).

The official nomenclature of those previous conferences, "World Conference to Combat Racism and Racial Discrimination," was expanded to include "xenophobia and related forms of intolerance" as a way to get the ethnic and religious turmoil that has marred the post-Cold War world into the mix. As a result, conference planning has been a nightmare of logistics; blizzards of policy papers have been circulated at regional meetings in attempts to negotiate language that accommodates the interests of the aggrieved.

For example, India reportedly has been lobbied by E.U. nations to oppose "crime against humanity" language in return for the European Union's opposition to language condemning India's caste oppression against the Dalit (derisively called "untouchable") population. Arab nations rightfully want to

A U.S. boycott of such a significant event would fit the Bush team's arrogantly isolationist image.

excoriate Israel for its treatment of Palestinians, but wish to evade discussion of Kurd oppression or the racist vestiges of the Arab slave trade (including charges of continuing slavery in the African countries of Sudan and Mauritania).

The issue of racial justice long has motivated activist groups in the United States (which is sending the largest number of groups to the conference) and the opportunity for solidarity with like-minded folks in other lands offers the real potential for a global justice movement. Despite the WCAR's many obstacles, that possibility is too good to pass up.

Salim Muwakkil

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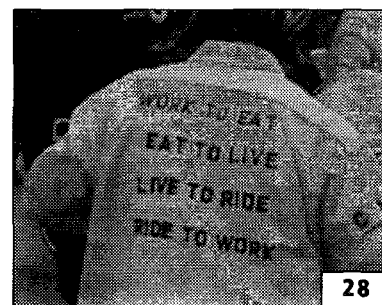
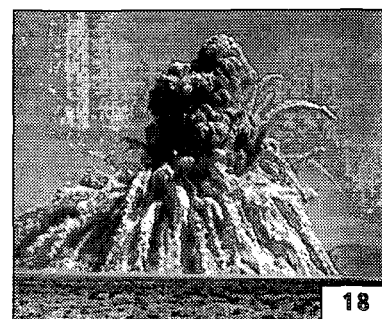
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Letters

War Crimes

The August 6 editorial, "Milosevic's Reckoning" by Joe Knowles, confirms once again the fact that *In These Times* is a liberal, not a left, journal, and that it supports a liberal and "responsible" imperialism. A crucial feature of this kind of liberalism is its exemption of the United States and its principal allies from fundamental criticism and condemnation for criminal behavior, and its acceptance of the imperial powers as the proper regulators of global law and order.

Of course it can be acknowledged that in the distant past the United States may have done some really bad things—Knowles tells us that we have a "stained history"—so that, following Christopher Hitchens, he boldly assails Pinochet and Kissinger and Operation Condor, and implies that maybe these involve cases of war criminality. He nowhere discusses why it is that they are exempt from tribunal treatment, or just why it is that "despots and war criminals everywhere" are exempt, unless the United States chooses to go after them. Liberal imperialism is happy that the targets selected by the imperial power are brought to book.

And when he gets to present-day affairs Knowles never suggests that the United States has done anything recently that might make it liable for war crimes. He talks about double-standards and the alleged hypocrisy in the U.S. opposition to an International Criminal Court, which would be "a palpable threat to despots and war criminals everywhere." But nowhere in his article does he hint that the "palpable threat" might apply to the United States itself for crimes today.

He never mentions Iraq, where the "sanctions of mass destruction" have killed perhaps 500,000 children, or the Clinton support of "our kind of guy" Suharto and tacit acceptance of Indonesia's 1999 destruction of East Timor. And you can be sure that Knowles doesn't go into the question of whether NATO's use of fragmentation bombs and depleted uranium, its escalated bombing of civilian facilities in Serbia that killed as many as 1,800 Serb civilians in clear violation of the Sixth Principle of Nuremberg, or its violation of the U.N. Charter in attacking Yugoslavia constituted war crimes.

Knowles also displays his liberal credentials by taking issue with the way in which Milosevic was "purchased" for delivery to the tribunal and the dishonest maneuvering implementing his transfer. But not surprisingly it turns out that Knowles approves of the transfer despite these

unpleasantries and its damaging effects on the fragile Yugoslavian democracy. He also has not a critical word to say about the workings of the tribunal, which has regularly violated every known standard of Western jurisprudence.

A liberal imperialist can overlook this. After all, the tribunal action, by pointing up the demon's evil and responsibility for all the Balkan troubles, vindicates NATO's war and *In These Times'* pretty consistent support of that war via Paul Hockenos, Bogdan Denitch and Knowles. Better not look too closely at the workings of "our" court, or real history, as it might turn out that the "stained history" extends up to today.

Edward S. Herman
College Station, Pennsylvania

"Evasive" is the charitable way to describe Bogdan Denitch's defense of NATO's intervention against the Milosevic regime ("Letters," August 6). Granting that outside intervention was warranted, what form should it have taken?

As argued at the time, repeatedly and from several quarters, the quickest and most efficient way to stop the killing would have been introduction of multinational ground forces directly into the affected areas. But for the United States, this would have violated the basic rule of "kicking the Vietnam syndrome" interventions: no American casualties. And it would have been totally at odds with U.S.

goals in 1999—reasserting our "indispensable nation" status, expanding NATO eastward as a manifestation of continued U.S. "presence" in European affairs, and marginalizing the United Nations as an effective arbiter of international and regional conflicts.

So instead we carried out a horrendous "air campaign" and committed clear, indictable war crimes of our own. But from Denitch, nary a hint that U.S. bombs fell, how many, when, or on whom. Apparently his democratic socialist values are expendable whenever a higher law calls—in this instance, that interveners need not be "as pure as newly fallen snow."

Richard B. Du Boff
Haverford, Pennsylvania

Two traits stand out in Bogdan Denitch's response to Edward S. Herman. The first is Denitch's abusively sarcastic, often *ad hominem* tone. The second is the almost total lack of supporting evidence that Denitch presents for his claims. Thus, many critical points that Herman raised, Denitch simply passes over in silence. For example, no one—not the OSCE, NATO, State Department or The Hague Tribunal—has ever produced any evidence that supports Denitch's contention that "massive killings and expulsions were taking place before the NATO intervention."

Denitch also recites a list of atrocities attributable to Serbs: Vukovar, Dubrovnik, Sarajevo and Srebrenica. But these inci-

Terry LaBan



past injustices. "When the Germans and the Austrians and the Swiss responded to the Holocaust, they not only acknowledged individual victims, but they also acknowledged the impact on greater communities," he says of the \$8 billion reparations settlement which Germany, France and Austria, along with Swiss banks, recently agreed to pay Holocaust victims. "They took a responsibility as defendants, as a government, even though not every person in that society was responsible or culpable. This situation is in no material respects really different."

As early as 1866, Congress passed a bill endorsing the procurement of 40 acres and a mule for every newly freedman. President Andrew Johnson vetoed it. Yet Ogletree and his associates have pulled the issue from the fringes of contemporary debate to the very heart of the American mainstream. Still, recent polls show as many as 75 percent of Americans are opposed to reparations. This despite the fact that, as Ogletree points out, blacks endured more than 250 years of legal slavery and 100 years of Jim Crow segregation.

In fact, to Ogletree, 75 percent opposition is encouraging, and only further evidence that legal channels are the most appropriate for his cause. "We have always recognized the majority will but minority rights," Ogletree says. "And if popular will decided every moral issue we would not have the right of women to choose, we would not have the opportunity for people to vote and participate in society equally, we would not have constitutional protections for minorities, and we would not have limits to police power."

But is the goal really practically attainable? Ogletree certainly thinks so. Perhaps a lifetime spent overcoming seemingly insurmountable odds has given him the wherewithal to believe so.

Raised in the dusty railway town of Merced, California, the first of six children, Ogletree felt slavery's legacy firsthand. His father left school in the fifth grade and spent his life as an itinerant farmhand. Practically

from the time he could walk, Ogletree picked fruit to help his family make a living. As long he could remember, whites and blacks remained on opposite sides of the tracks in Merced.

Ogletree's exceptional grades in high school led his counselor to recommend that he apply to Stanford. Too embarrassed to admit that he'd never heard of the place, he told her he didn't want to go to school somewhere it was so cold, supposing the university was in Connecticut. But after arriving at the university in 1970, he didn't take long to adjust, graduating in three years with Phi Beta Kappa honors. It was at Stanford that he also found his calling, becoming the president of Stanford Students for the Defense of Angela Davis and All Political Prisoners.

Ogletree went on to complete a master's in political science at Stanford and then attain a law degree from Harvard. He then worked at the public defenders office in Washington, widely regarded as the best in the country. While there,

Ogletree gained acclaim for his near perfect record in the courtroom. With time, he wanted to teach, and in 1986, took a faculty position at Harvard.

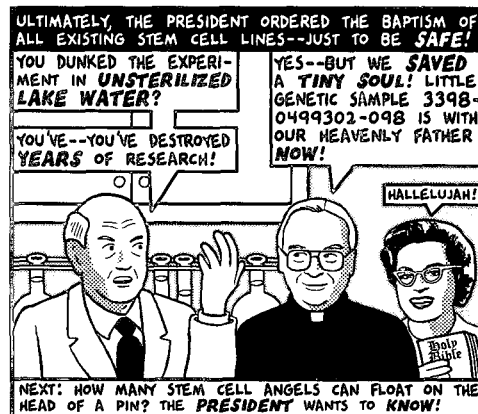
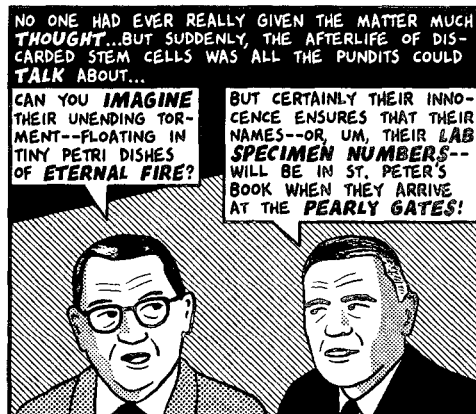
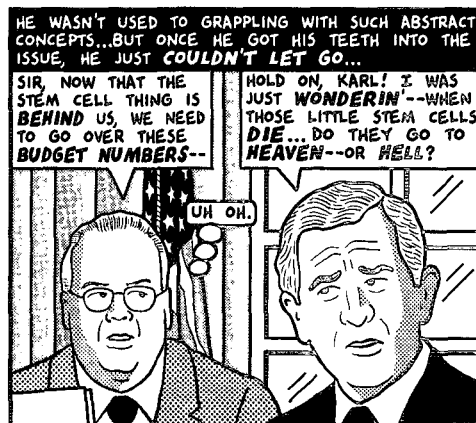
What may surprise many detractors who still don't take the reparations movement seriously is this: According to Ogletree, he and his associates already have plaintiffs and defendants in mind, though of course he won't discuss the details on the record. Legal action, he says, is imminent. "Before the year is out some important decisions should be made."

Conscious of what is at stake, Ogletree knows that, if successful, his pursuit of reparations could prove momentous. Ogletree calls his push the first step toward redemption. "It's going to be confrontational," he says. "It's going to be divisive, but we can't really fully remedy our problems of race by ignoring them." ■

Alex Kellogg is a reporting fellow for The Chronicle of Higher Education.

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by TOM TOMORROW



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THE CHARLESTON FIVE

SOUTH CAROLINA DECLARES WAR ON UNIONS

By DAVID BACON

This September, five longshoremen will go on trial in South Carolina. Elijah Ford Jr., Ricky Simmons, Peter Washington, Jason Edgerton and Kenneth Jefferson face felony riot charges arising from a confrontation on the Charleston docks on January 20, 2000. They could go to prison for five years.

The port of Charleston, where the men work, is the fourth-largest in the country. And although South Carolina has the second-lowest percentage of union members of any state, all the longshore workers in the port, almost all of whom are black, belong to Local 1422 of the International Longshoremen's Association (ILA).

That union status came under attack last year, when Nordana, a Danish company, announced that it intended to load and unload ships using nonunion workers. "This had never happened before," recalls Local 1422 President Ken Riley. "Those jobs are something we cherish, and this operation was going to tear down our industry standards. We've spent 40 years of hard work fighting for wages high enough that workers can send their kids to college and afford at least a middle-class standard of living. When we found out they were going nonunion, we simply could not tolerate it."

Local police cooperated with the longshoremen when they set up their picketlines to protest. But the state's attorney general, Charles Condon, decided to draw a much harder line. He assembled an army of 600 state troopers and highway patrolmen, and on the night of January 20, they escorted nonunion workers into the port with helicopters and armored personnel vehicles. Trying to prevent con-

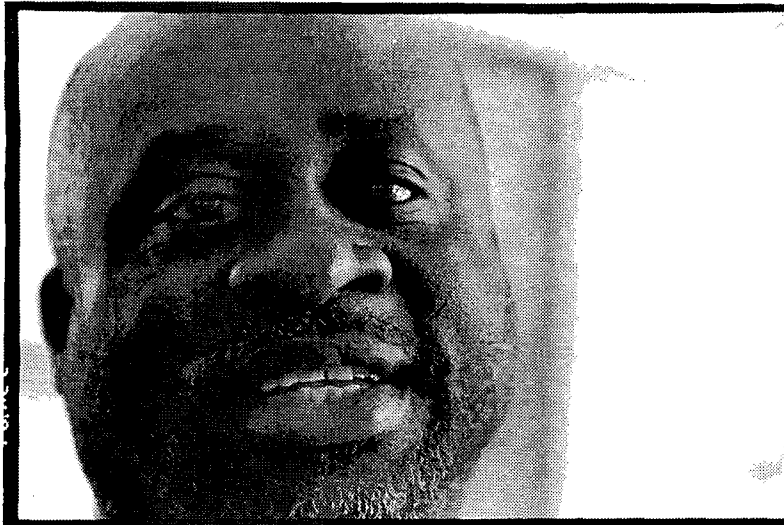
frontation, Riley went down to the picketline, where he was beaten by a trooper and carried off to the hospital. A melee followed.

When a local judge dismissed charges against five arrested unionists, Condon publicly condemned the decision, convened a grand jury, and brought indictments against the five. He unveiled "a plan for dealing with union dockworker violence ... jail, jail and more jail," adding that he would call for maximum bail, no plea bargaining and no leniency for union dockworkers. "South Carolina is a strong right-to-work state and a citizen's right not to join a union is absolute and will be fully protected," Condon said.

"South Carolina is like a Third World country for working people." – Ken Riley

Meanwhile, the men, four black and one white, languish under house arrest. They cannot leave their homes after 7 p.m., except to go to work. They wear electronic bracelets around their ankles. As their case moves to trial, African-American and labor activists are holding it up as a symbol of the unjust treatment of black workers in the South. "When we look at the case of the Charleston Five, we have to look beyond the individuals and the local union," says Bill Fletcher, national coordinator of the Charleston defense campaign for the AFL-CIO. "Just as the PATCO firings 20 years ago signified the start of a wave of attacks by domestic capital on unions, the conviction of the Charleston Five could inspire a wave of sentiment on the part of government authorities and employers that this kind of massive repression is acceptable, and more importantly, that they can get away with it."

David Bacon recently interviewed Riley and Fletcher.



What's it like being a worker in South Carolina?

Ken Riley: South Carolina is like a Third World country for working people. That's actually the way we're being marketed. We have some of the most productive workers in the world, paid 20 percent less than the national average. There's a very hostile climate toward unions: South Carolina has the lowest union density in all 50 states, except North Carolina.

Why has Charleston and its port become such a focus of the effort to erode the union rights of southern workers?

Bill Fletcher: Charleston is one of the most important seaports in the United States. The growth of industry in the South, particularly the transplants coming from Europe to the United States for cheap labor, depends on this port. These companies are settling in the Carolinas, and particularly along the I-85 corridor. We have to think about the strategic importance of the I-85 corridor, which extends from Raleigh-Durham, North Carolina down into Georgia. That's where the industrial development in the South is taking place, and therefore an area with great potential for organizing. But to do it successfully will require a real community-labor alliance, especially with African-Americans.

Was the attack in the port also a reaction to the political role played by Local 1422?

Riley: The Republicans, for the first time since Reconstruction, have captured both houses of the legislature in South Carolina. They've introduced legislation affecting all workers in the public sector, who have been more willing to join unions because of the pressure they're facing. A bill was introduced to make it illegal to launch any living wage campaign in South Carolina. Further, for public sector workers like firefighters, sanitation and other workers, you can't bargain for any wage above the federal minimum wage. That's why there's so much European investment in the state—because of our low-paid workers. This fact is advertised over the Internet in an effort to attract corporate investment.

When I took office four years ago, we decided to do something to try to change this abusive political climate. The only way we could see to do that was to form coalitions with those in the community who were also affected, and to get politically involved. We opened our doors and brought the community into the labor movement. We touched base with the NAACP. The Progressive Network, a coalition of 38 grassroots community organizations, meets in our union hall every month. The Democratic Party of South Carolina looked around and realized we were the only friends they had, and they held their convention and precinct meetings in our hall. Even though we only have 900 members in our local, we started to have a real political impact on our community.

We supported a candidate for governor [James D. Hodges] who was able to defeat a Republican for the first time in 12 years. As a result, I was appointed to the South Carolina Port Authority. Then the South Carolina Manufacturers Association and the Chamber of Commerce issued a grassroots alert, saying they had to stop the appointment. They said that if it went through, it would send a message to the whole world that South Carolina was now open to labor unions, and they couldn't let that happen. And their pressure was so great that even though we had the votes in the legislature, the governor pulled back the appointment.

But because we had come so close, the Republican Party in South Carolina decided that they could not afford to let it happen again. They introduced legislation to make it illegal for any card-carrying union member to serve on any state board, agency or commission. It passed the House, but we had enough votes to stop it in the Senate.

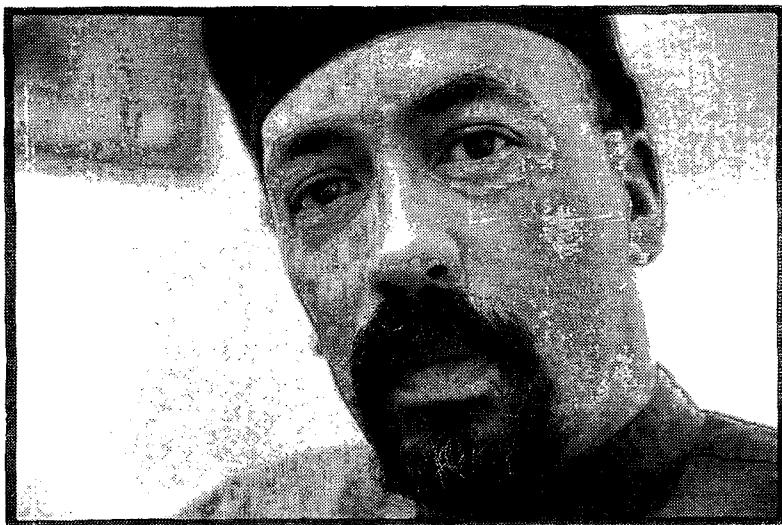
What makes this more than a local problem for workers in South Carolina? What implications does it have for working people generally?

Fletcher: I started in the labor movement 20 years ago, in a shipyard near Boston working for General Dynamics. The company had a practice that for workers on third shift, when they finished work they could go to sleep. No one ever said anything. At one point, General Dynamics decided they wanted to end the practice. And the way they did it was to fire black and Puerto Rican workers for sleeping on the job. If the company had come down on everybody,

they would have had a big problem. But they knew that by playing the race card, the same tripwire we see in all politics in the United States, they might be able to get the change they wanted. They guessed

that if they went after blacks and Puerto Ricans, that whites would say that it wasn't their problem.

This is something we see in United States, time and time again. When capital wants to implement certain changes, they often go after people of color first. They hope they'll frame the issue in such a way that whites will decide that the issue is irrelevant to them. ILA 1422 is a largely African-American local. Moving against them is a way of introducing a very definite change for the worse for the whole community, for labor-capital relations in general in South Carolina. This is a direct attack on freedom of association. It's a direct attack on the right of workers to peacefully protest. It's a direct attack on the right to organize. And in addition to the five



DAVID BACON

**"We have to make this the kind of issue the
Scottsboro boys were in the '30s" —Bill Fletcher**

charged with felonies, another 27 are being sued by the nonunion stevedoring company, who are charging that their protest interfered with their right to gain a profit.

Despite all the pressure, was the union able to regain control of the work?

Riley: Yes, we were able to regain a contract. We didn't have much success until the international community got involved. But the ships that dock in Charleston have destinations on the other side of the pond, as we like to say. And European dockers, who heard about the struggle, actually went aboard the ships and handed letters to the captains of the vessels warning them that if they load in Charleston using workers other than the ILA, they wouldn't get unloaded. After that began to happen, we did not have to contact Nordana. They contacted us and wanted to sit down and talk. After three days we came to an agreement, and we were back aboard the Nordana vessels. And now we have a pretty good working relationship.

In June, the AFL-CIO helped turn out thousands of people for a demonstration in Charleston, and President John Sweeney assigned you, Bill, as national coordinator for a defense campaign. This is a new level of commitment by the federation to defend unionists under attack, especially in the South. How did the Charleston case get the attention of the national AFL-CIO?

Fletcher: South Carolina AFL-CIO President Donna DeWitt, a very strong advocate for organizing the South, brought this case to the attention of the national federation. Several of us started meeting to figure out how to build a movement around this case, and out of it came the Campaign for Workers Rights in South Carolina. We won over AFL-CIO President John Sweeney, who became a fervent advocate of the Charleston Five. And we've been helped enormously by the West Coast longshore union, the ILWU, which was the first union to respond to the call for their defense, not the ILA. They've contributed money, organized publicity and given immense support to these workers. They have a standing defense committee based in Local 10 in San Francisco.

What impact is this case going to have on the ability of unions to organize in states like South Carolina?

Fletcher: The Charleston Five case calls attention to what's happening in the South, especially to what happens to workers who are willing to organize and fight. Whether there's a major drive to organize the South depends on what the affiliates do, that is individual unions, because organizing is driven by them, not the federation. The AFL-CIO can and does support organizing efforts, but the real organizing has to be driven by the UAW, SEIU, UNITE and other unions. And the problem with too many unions is that they've been cow-

ardly, to be blunt, when it comes to organizing the South. Many have said it can't be done, that it's not possible to organize when you have right-to-work laws. There are exceptions—UNITE has remained committed to the South, and so have others.

Business in South Carolina and the politicians who support it are even proposing to give people the ability to file harassment charges against union organizers. Think about the chilling effect this will have, not just on paid union organizers, but on volunteers and rank-and-file members participating in union organizing drives. Workers will have to stop and think, "Am I going to be sued by someone if I go



Portraits of the Charleston Five were displayed at a June 9 rally. From left to right: Kenneth Jefferson, Ricky Simmons, Peter Washington, Elijah Ford Jr. and Jason Edgerton.

to someone's door to talk to them about the union, and I come across someone manipulated by the company into making these charges?"

If the ILA in Charleston is defeated, it will be even more difficult both to get rank-and-file workers to participate actively, and to get international unions to come forward with the necessary support.

What's going to happen when the trial finally begins?

Riley: Ports will shut down on both coasts. Ports abroad also will be shutting down, through the efforts of the International Dock Workers Council. A request was sent to the International Transportation Federation to support an international day of solidarity. Other unions are planning actions to show solidarity. And we're planning a massive rally in South Carolina, on that first day of the trial.

What will it take to succeed?

Fletcher: We have to make this the kind of issue the Scottsboro Boys were in the '30s, or that Huey Newton and Angela Davis were in the '60s. They have to be on the lips of every progressive activist. The state of South Carolina has declared war on labor, and on black workers in particular. ■

WHATEVER HAPPENED TO GUN CONTROL?

BY DICK DAHL

VANESSA ACUNA & JANEIL ENGELSTAD/PEACE SIGNS PROJECT

Only last year, the National Rifle Association appeared to be on the verge of losing its chokehold on Congress. The extremist pro-gun group, peerless as a hardball lobbying force in Washington, found itself fighting tough election-year battles on many fronts. Suddenly, or so it seemed, the NRA was facing a formidable new foe: a predominantly female, middle-class anti-gun movement driven by the appalling failure of the federal government to respond to the spate of gun violence that had erupted in suburban and rural schools.

The Million Mom March, the brainchild of New Jersey suburbanite Donna Dees-Thomases, vastly exceeded organizers' most optimistic expectations when it drew some 700,000 people to the National Mall on Mother's Day 2000. "A lot of politicians looked at the crowd that day and said, 'Oh my god. Here's the beginning of a real movement,'" recalls Michael Beard, president of the Washington-based Coalition To Stop Gun Violence.

The problem with the modern gun-control movement in the United States, ever since it was born with the Kennedy and King assassinations in the '60s, has been its inability to assemble anything close to the kind

of unified national organization that might counter the NRA. Gun control has been the domain of a few Washington organizations that have tended to focus far more on issues analysis than political organization. Their connections to state gun-control organizations, many of which are shoestring operations in the homes of various brave souls, have been weak. But the Million Moms, with their state-by-state representation on the National Mall, seemed poised to change that. Could the Million Mom March strengthen gun laws the same way that Mothers Against Drunk Driving toughened penalties for driving under the influence?

While the NRA is a more formidable legislative foe than the liquor industry—especially with its dubious claim that private gun ownership enjoys constitutional protection—it appeared that the Million Mom March would at least change the terms

of the gun debate. And many candidates who spoke out for stronger gun laws did emerge. Gun regulation even arose as an issue in the platforms of Democratic presidential candidates Al Gore and Bill Bradley. (Bradley favored licensing of gun owners and registration of handguns, while Gore supported licensing but not registration.)

**THANKS TO THE NRA
AND TIMID DEMOCRATS,
THE ISSUE HAS DISAPPEARED
IN WASHINGTON**

One should never make much of NRA alarmism—fear is the essential tool the organization uses to extract money from its membership, after all—but the pre-election rhetoric of the NRA did sound genuinely fearful. And for good reason: A lot of anti-NRA candidates were popping up and election-year polls were showing strong public support for gun control. (Contrary to NRA rhetoric, polls consistently have showed that Americans want stronger gun laws.)

When ballots were counted on November 7, the outcome was mixed, but certainly no cause for pessimism among the gun-control forces. While the NRA influence arguably may have kept Democrats from taking over the House, gun control very likely stopped Republicans from taking the Senate. Of the seven tight Senate races that the NRA poured its money into, five of their candidates lost. The most humiliating of these defeats was that of Missouri incumbent John Ashcroft, a longtime NRA lapdog, who lost to a dead man. The NRA suffered other embarrassing losses in Colorado and Oregon, where voters overwhelmingly passed statewide ballot initiatives to close gun-show loopholes—which exempt buyers at gun shows from the background-check requirements of the Brady Law—despite massive infusions of NRA money to defeat those efforts. And despite the NRA's efforts to defeat Al Gore in the critical states of Michigan and Pennsylvania, he won both.

Of course, the NRA would go on to land its biggest prize, a George W. Bush presidency, as well as the spectacular bonus prize of Ashcroft's appointment as attorney general, but the election returns in general contained a lot of troubling news for the NRA. The day after the election, the Million Mom March's policy director, Eric Gorovitz, issued a statement claiming that the election "demonstrated a dramatic shift in the politics of gun laws. Eight years ago, few candidates were willing to run on platforms expressly advocating the passage of new gun laws. Yesterday, many candidates were elected after embracing sensible gun laws in their campaigns. This shift demonstrates that the once-powerful gun lobby can no longer control the agenda."

What, then, explains the congressional response in March when a 15-year-old boy at Santana High School in Santee, California killed two classmates and wounded 13 others, and an eighth-grade girl in Williamsport, Pennsylvania was charged with wounding a schoolmate? Democratic Senator Charles E. Schumer of New York, one of the strongest gun-control proponents in Washington, called for only a voluntary "code of ethics" for gun owners and their families.

And how does one account for congressional timidity on closing the gun-show loophole? The Brady Law provides the FBI three business days to complete a check, if it needs to go beyond the instant-check database. (Since most gun shows occur on weekends, some buyers would face the onerous burden of not getting their guns until the following Wednesday.) The FBI has found that 95 percent of gun transactions are approved within an hour and 73 percent within minutes through the instant-check database. The 5 percent who must await further investigation are, of course, questionable buyers who sometimes turn out to be felons looking for instant firepower.

Nevertheless, a bipartisan compromise bill authored by Sens. John McCain (R-Arizona) and Joseph Lieberman (D-Connecticut) proposes to cut the maximum wait to 24 hours—even though the FBI has stated that if the back-

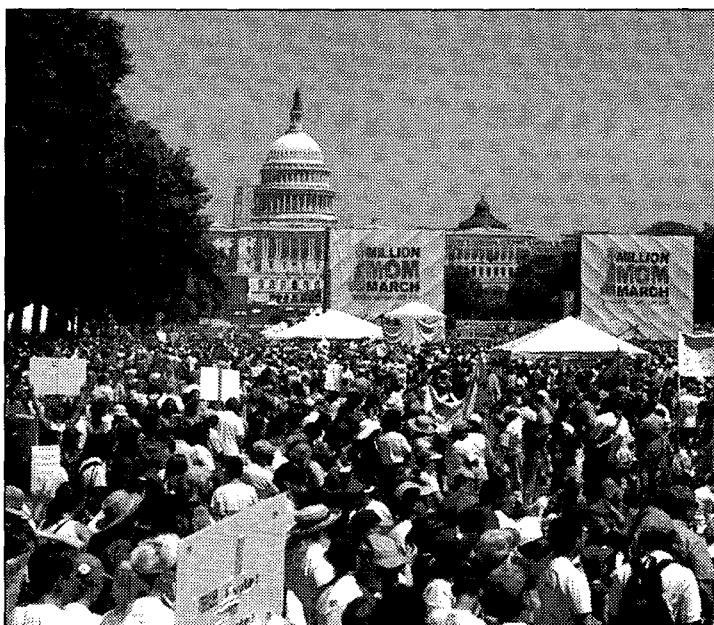
ground check had been 24 hours all along, some 17,000 transactions that were rejected on the second or third day would have gone through. And the McCain-Lieberman bill would leave intact a widely abused exemption that many gun sellers use to avoid scrutiny by proclaiming their stock a "private collection."

How has it come to this? How has the NRA actually tightened its control of the gun debate? For starters, of course, the president himself is an NRA guy and the attorney general is so far gone that he's trying his best to undo 62 years of federal legal precedent on the meaning of the Second

Amendment. (In May, Ashcroft told the NRA that he supports their "individual rights" interpretation of the Second Amendment, rather than the 1939 Supreme Court ruling that the constitutional "right of the people to keep and bear arms" was intended for state militias.) But many Democrats too believe that gun control is a political loser. "The common view now is labor people and white males went against the Democrats because of the gun-control issue," Beard explains.

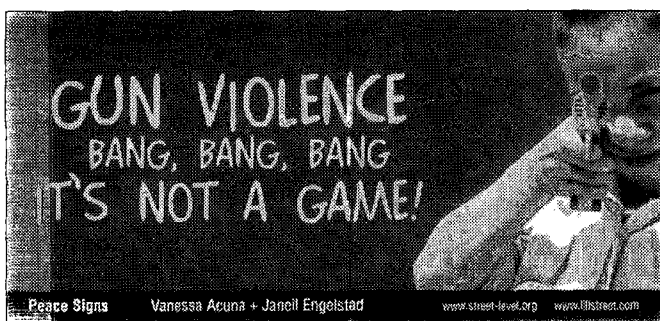
But Beard doesn't buy it. "The NRA successfully managed to spread the myth that it was gun control that defeated Al Gore," he says. "Most politicians now believe that gun control is a losing issue for the Democrats—overlooking the fact that we got five U.S. senators elected, that we passed the two statewide referenda by overwhelming margins in the West."

The problem with the conventional wisdom—and polls conducted for Beard's group by pollster Celinda Lake prove it—is that the rural, blue-collar white males were voting against Gore regardless of his position on guns. Beard argues that Gore's decision to stop talking about even his mild gun control plans cost him the election. By abandoning the gun issue, he lost the one demographic group that gun control



The Million Moms marched ... but the Democrats didn't follow.

DON WRIGHT/AFP



This cover image was taken from *Peace Signs: Youth Anti-Gun Violence Billboard Project*. The Chicago project paired six professional artists with six young artists to design billboards against gun violence. The completed billboards appeared throughout the Chicago area. The other five billboards can be viewed at <http://streetlevel.iit.edu/youthprojects/peacesignsweb/peacesigns.ht>.

could have drawn into his camp: undecided and Republican women from the suburbs. "Gore was way ahead with suburban Republican women, and when he backed off—in the debate he couldn't even face the issue—they lost commitment," Beard says. "The white males who were going to vote against him no matter what, did. The white females who were thinking of voting for him, didn't see any reason to any longer."

Meanwhile, the new gun-control movement has been victimized by its own expectations. Immediately following the Mother's Day march in Washington, "a lot of people really went overboard thinking we really had things in hand now," Beard says. After the march, the number of Moms chapters proliferated, but when the Moms merged with another new national gun-control group, the Bell Campaign, the marriage proved disastrous. The organization deteriorated, and in March, the NRA cheered the latest news from the Million Mom March front office: 30 of 35 staff members were being laid off. "We set the bar so high in terms of expectations that we couldn't meet it," Beard says. "And when we couldn't meet it, people said, 'There's something wrong with the movement.'"

Americans have become numb to the astonishing levels of gun violence in this country. More than 30,000 Americans will die this year by gunshot and another 80,000 or so will be seriously injured. These are numbers that dumbfound people from other industrialized nations, where death and injury from guns is a tiny fraction of the American total. In 1996, 15 people were killed with handguns in Japan, 30 in England, 106 in Canada, 211 in Germany—and 9,390 in the United States. Gun deaths among American children are particularly horrifying. A 1997 article in *Morbidity and Mortality Weekly Report* disclosed that among developed nations, three-quarters of all murders of children under age 14 occur in the United States.

The NRA contends, with breathtaking cynicism, that this is the price of freedom.

That price keeps going up. Last year, Professors Philip Cook of Duke University and Jens Ludwig of Georgetown University co-authored *Gun Violence: The Real Costs*, a book that aspired to tally all the direct and indirect ways we pay for gun violence. They counted medical costs, urban renewal projects in areas devastated by gun violence, taxes paid for protection of public officials, metal detectors, loss of workplace productivity, etc. Their final tally on the annual cost of guns in the United States: \$100 billion.

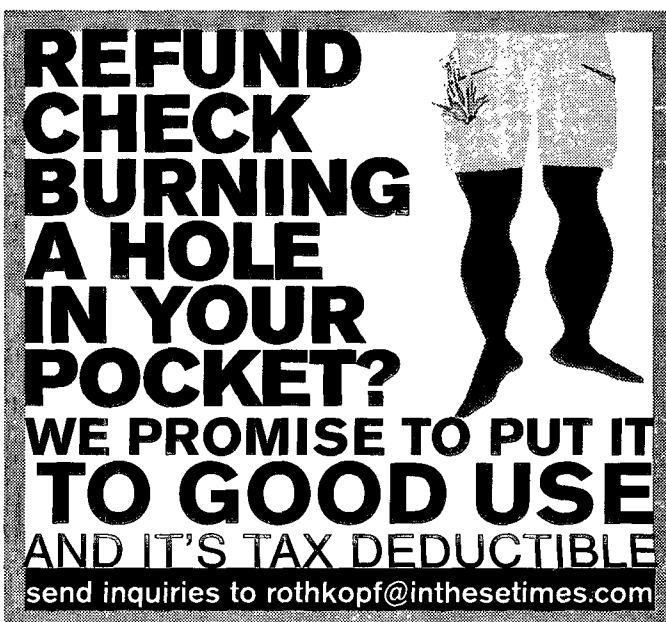
But dealing with gun violence in the United States is a lot like trying to put toothpaste back into the tube. By most counts, there are more than 200 million guns in private ownership in the

United States, some 80 to 90 million of them handguns. The situation is depressing. But there is reason for hope. For starters, the polls still show that Americans want stronger gun laws.

What's more, the Moms—who now exist in some 230 chapters across the country—have joined forces with the group known for 25 years as Handgun Control Inc. The new combined group will be known as the Brady Campaign to Prevent Handgun Violence. Closing the gun show loophole tops the group's agenda. But the Brady Campaign will also push for child-access-protection, or CAP, laws—which would require gun owners to keep their guns safely stored and inoperable, via trigger locks or other mechanisms—and legislation that would give the Bureau of Alcohol, Tobacco and Firearms the power to regulate guns as consumer products. (Bizarrely, toy guns must meet certain safety requirements established by the Consumer Product Safety Commission, but real guns do not.)

The merger of the first nationwide grassroots gun-control movement with the most established gun-control lobbyists on Capitol Hill is cause for optimism. As of October 1, when that merger goes into effect, the NRA will encounter an organization that has the potential to be the most formidable opponent it has ever seen. The new activists have a tough enough foe in the NRA, but their bigger nemesis may be the congressional Democrats and other Washington insiders all too willing to embrace the easy scapegoating of gun control for the Democratic Party's own failures.

But the Democrats will look back on this retreat as a mistake. "The polling all says it's very clearly not going away as a political issue," Beard says, "and if the right people step up and push it in the right way, it will move forward." ■





TERRY LABAN

TEST ANXIETY

TALKS OF RESUMING NUCLEAR TESTING MAY OBSCURE THE PENTAGON'S MORE OMINOUS PLANS

By Jeffrey St. Clair

In the first few months of the Bush administration, international treaties have been falling faster than old-growth trees. The rebuke of the Kyoto global warming accord grabbed the headlines, but there have been a slate of others: the convention on small arms trade, the chemical and biological weapons treaty, the international ban on whaling, and the Anti-Ballistic Missile treaty. Now the Bush administration wants to end the moratorium on testing nuclear weapons and junk the Comprehensive Test Ban Treaty.

Bush fumed against the test ban treaty repeatedly during his campaign, alleging that it undermined national security. Since the election, Bush has remained stubbornly mute on his personal position on resuming nuclear tests. (The current moratorium on nuclear testing was put into place as a pre-election ploy by his father in 1992.) But Defense Secretary Donald Rumsfeld and Vice President Dick Cheney have been less coy. Both have argued that the United States needs to resume nuclear testing to

ensure the reliability of the Pentagon's nuclear weapons cache.

This is an old canard. The only parts of the nuclear stockpile likely to deteriorate are the non-nuclear components, which already are regularly tested and evaluated by the weapons teams without encroaching on the terms of the treaty. "All non-nuclear parts to a weapon can be extensively lab tested and replaced as needed—if needed at all," says Jay Coghlan, director of NukeWatch. "The nuclear parts, specifically plutonium and surrounding high explosives, have been found to actually achieve greater stability with age."

The purported rationale for the U.S. nuclear stockpile, which now totals some 12,000 nukes and 10,000 plutonium pits (or triggers), is deterrence. Coghlan suggests that the real interest of the testing faction isn't to assure reliability, but to shift to more tactical uses. "U.S. nuclear weapons are certainly reliable in the sense that they are sure to go off," he says. "The concern that the military has with rela-

bility is that weapons are not only guaranteed to go off, but explode close to design yield. This is important not for mere deterrence, but for nuclear warfighting."

One of the great myths of the Clinton era was that Clinton supported total abolition of nuclear testing. In fact, Clinton authorized a series of so-called subcritical nuclear tests and a number of other nuclear programs that quietly flouted the test ban treaty—which he simultaneously heckled the Senate for failing to approve. The Bush administration, of course, has no intention of seeking approval for the test ban treaty from the Senate, where it has languished for more than two years. But its top arms control negotiator, John Bolton, undersecretary of state for arms control and international security, has determined that the administration can't unilaterally withdraw the treaty from consideration. The Senate has two options: It can approve the treaty by a two-thirds vote, or it can send it back to the president for renegotiation through a simple resolution, which requires only a majority.

Currently, 161 nations have signed onto the treaty, and 77 nations have ratified it, including the rest of NATO. For the treaty to go into effect, it must be approved by 13 other nations. The other holdouts include China, India, Pakistan, North Korea and Israel. But this renegade status doesn't seem to have deterred Bush in the least. Indeed, the president has loaded the top levels of his administration with full-blooded nuclear hawks, including Defense Department flacks Douglas Feith, Richard Armitage and Paul Wolfowitz, all of whom have railed against the limitations of the test ban treaty.

The most fanatical of the brood may well be Jack Crouch, Bush's pick for assistant secretary of defense for international security policy. In the mid-'90s, Crouch, then a professor at Southwest Missouri State, wrote a series of articles attacking the test ban treaty and the testing moratorium. He also argued that the United States should deploy nuclear weapons in South Korea and consider using them against North Korea if they did not accede to U.S. demands to drop their nuclear and biological warfare programs. Crouch reiterated his support for nuclear testing and his opposition to the test ban treaty during his confirmation hearings before the Senate Armed Services Committee. "I think that considering the resumption of testing is something that the administration ought to consider," Crouch said.

Consider it they are. Shortly after taking office, the Bush crowd heard from an advisory committee that had just completed a study on the "reliability, safety and security" of the U.S. nuclear arsenal. The panel was headed by John Foster, former director of Lawrence Livermore National Laboratory, who now serves as an adviser to TRW, one of the nation's top defense contractors. The Foster group urged the administration to begin taking steps to resume testing as quickly as possible and to begin training a new crop of weapons designers who could develop "robust, alternative warheads that will provide a hedge if problems occur in the future."

Even though most other nuclear scientists disagree, Foster, a protégé of Edward Teller, dismissed computer modeling as a substitute for real nuclear explosions. "There are a number of underground tests we can't reproduce," Foster told a gathering of weapons designers at the National Defense University in June. "We have these enigmas."

For Foster the answer to every enigma seems to be a nuclear explosion. He argues that the U.S. nuclear arsenal is aging and growing ever more unreliable. The average age of nukes in the U.S. weapons stockpile is 18 years, which Foster claims is six years older than their intended design life. "They will be many times their design life before they are replaced," Foster said. "We have opened some of the warheads and found some defects that are worrisome."

Using the Foster report as an excuse, in June the Bush administration instructed the Department of Energy to study how to shorten the time it takes to prepare nuclear tests at the Nevada Test Site, the 1,350-square-mile bombing range 65 miles northwest of Las Vegas. Currently, the DOE says it will take at least 36 months to resume testing. But hard-liners in the Bush administration, such as Gen. John A. Gordon—director of the National Nuclear Security Administration, a shadowy wing of the DOE that manages nuclear weapons research, development and testing—want this time reduced to less than four months. "We are conducting an internal review on how we can improve significantly our readiness posture to conduct a nuclear test, should we ever be so directed," Gordon testified before the House. "This is not a proposal to conduct a test, but I am not comfortable with not being able to conduct a test within three years."

The move to truncate the readiness period for tests exposes yet another double-standard in the Bush administration's foreign policy. As the Pentagon moves ever closer toward resumption of testing, Secretary of State Colin Powell continues to chide India and Pakistan about dire consequences if either nation conducts new nuclear tests. "The Nuclear Security Agency's site readiness effort will unfortunately send exactly the wrong message to other would-be testers and test ban treaty hold-out states, including India, Pakistan and China," says Daryl Kimball of the Coalition to Reduce Nuclear Dangers. "It leaves the door open to a global chain reaction of nuclear testing, instability and confrontation in the future."

The gambit goes like this: If you won't let us test the weapons, you've got to appropriate more money. Lots more.

However, the rising anxiety over the Bush administration's frank talk about resuming live testing of nuclear weapons may serve to distract attention from a more ominous venture: the development of a new class of nuclear weapons systems. Most of the action these days is in the innocuous sounding Stockpile Stewardship Program. The stated intent of the program was to maintain an "enduring" arsenal of nuclear weapons and components. But that mission has discreetly changed. Now the Pentagon and the DOE talk about the "evolving" nature of the stockpile. Evolving is a code word for improving. The nuclear labs are busy turning old nukes into new ones.

During testimony before the House, Gordon grouched that for the past decade the Pentagon had not been able to active-

ly pursue new weapons designs. He said he wanted to “rein-vigorate” planning for a new generation of “advanced nuclear warheads.” “This is not a proposal to develop new weapons in the absence of requirements,” Gordon told the committee in a gem of Pentagon doublespeak. “But I am now not exercising design capabilities, and because of that, I believe this capacity and capability is atrophying rapidly.”

Gordon wasn’t being entirely truthful. The Pentagon and its weapons designers have been busy quietly crafting a variety of new weapons over the past decade. In 1997, they unveiled and deployed the B61-11, described as a mere modification of the old B61-7 gravity bomb. In reality, it was the prototype for the “low-yield” bunker blasting nuke that the weaponeers see as the future of the U.S. arsenal.

The testing issue may be a kind of political bait-and-switch designed to garner more money for the Stockpile Stewardship Program. The gambit goes like this: If you won’t let us test the weapons, you’ve got to appropriate more money. Lots more. “The nuclear testing issue is a kind of red herring,” says Greg Mello, director of the Los Alamos Study Group. “All discussion of possible ‘nuclear testing’ as the problem distracts attention from the real work of the complex, which does not need nuclear testing for 80 to 90 percent of its work. It is a form of blackmail.”

Instead of pursuing disarmament, the big prize for the weapons labs has been the lavishly funded Stockpile Life Extension Program, an array of projects designed to stretch out the operational life of existing weapons for at least another 30 years. Currently, four major nuclear weapons are undergoing major upgrading under SLEP: the B61, known as a “dial-a-yield” bomb with a yield of 10 to 500 megatons; W76, the warhead for the Minuteman III ICBM with an explosive power of 170 kilotons; the W80, a warhead for cruise missiles; and the W87, a warhead for the Peacekeeper ICBM. The Pentagon wants another 11 systems modified.

These developments subvert the Pentagon’s own official policy, signed by President Clinton in 1994, calling for “no new nuclear weapons production.” The weaponeers at the Pentagon and the DOE are very touchy about the way they talk about these new bombs, being careful to speak in euphemisms like “reliability” and “safety” and “stewardship” of the “stockpile.” “Energy Department managers have been sensitive to the hypocrisy in this program,” Mello says. “The DOE honchos have even suggested that, given the political environment, the use of the word ‘warhead’ may not be acceptable.”

There’s a reason that the Pentagon and the labs have fixated on the idea of producing a new line of low-yield nukes: They can be redesigned and deployed without a new round of underground tests. And that may be a big part of the bait-and-switch approach, with the Pentagon arguing that since

they were prohibited from testing new weapons, they were forced to retool old ones into the new mini-nukes favored by the Bushies—nukes that are geared not for deterrence, but for use against recalcitrant regimes.

But just because there’s a push to build mini-nukes doesn’t mean that the hawks have forgotten the big ones. According to the Bush squad, Russia still remains a threat and a justification for maintaining a robust strategic arsenal of bombs capable of leveling large cities. In this spirit, the Navy is teaming up with the Los Alamos and Sandia labs on a project called the Submarine Warhead Protection Plan. The labs and the Pentagon are desperate to protect their bomb-making mission, and they’ve done a good job of keeping the new schemes funded, including upgrades of several of the nuclear packages

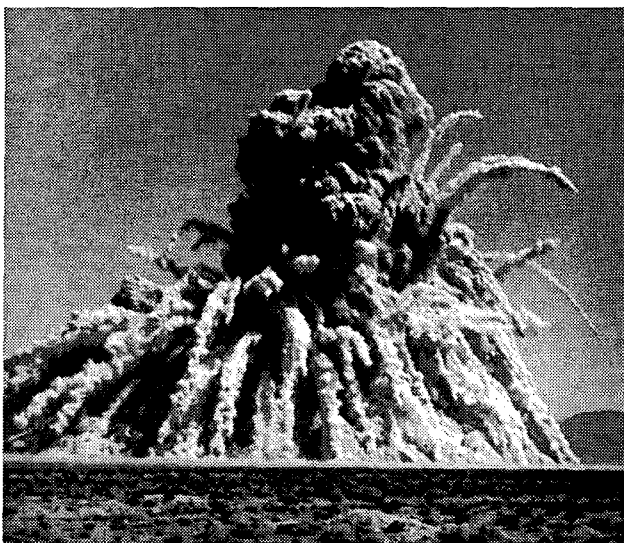
for Trident submarines. Los Alamos is also working on the development of new systems that will allow older “air-burst” weapons to be converted into bombs that explode close to the ground, thus becoming what Rear Adm. George P. Nanos delicately refers to as “hard-target killers.”

Beyond these pursuits, a host of other weapons design programs are up and running coast-to-coast, including: the insanely expensive National Ignition Facility at Lawrence Livermore; plutonium pit factories; pulsed power plants; dynamic radiography facilities; tritium production plants; magnetized-target fusion research; an advanced facility designed to generate 3-D

movies of imploding nuclear pits. These are the multibillion-dollar research toys of the modern weapons designer.

In the end, the nuclear game always comes down to one overriding obsession: money. For the past 50 years, the nuclear programs of the Pentagon and allied agencies have been among the most extravagantly funded and sacrosanct items in the federal budget. During the height of the Cold War, annual federal spending on nuclear weapons programs averaged about \$4 billion in today’s money. The fiscal year 2002 budget proposed by Bush earmarks \$5.3 billion for DOE nuclear programs, a figure that will almost certainly be generously boosted by Congress. Indeed, New Mexico Sen. Pete Dominici, the Republican guardian of the Los Alamos and Sandia labs, vowed in July to hold the entire federal appropriations bill hostage unless spending on military programs, including nuclear weapons research, was substantially hiked.

In the political economy of nuclear weapons, enough is never enough. Endless expansion is the relentless logic of a monopoly protected by secrecy. “The nuclear weaponeers want it all,” says Marylia Kelley, director of Tri-County Cares, a Livermore watchdog group. “This remains true regardless of who is president.” ■



It would now take three years to resume testing. Military hard-liners want this time reduced to four months.

U.S. DEPARTMENT OF ENERGY

A Dream Deferred

Will peace ever come to Kashmir?

By Peter Chowla

SRINAGAR, INDIA

If you ask Alamudin, an octogenarian from Humandar village, what he wants, he responds with a simple one-word answer: "Azadi." After living through 54 years of Indian rule, two wars between India and Pakistan and the past 12 years of terrorism, *azadi*, or "freedom," is the only thing on his mind.

Situated between two giant mountain ranges that make up the Himalayas, the Valley of Kashmir, which is home to about half of the state of Jammu and Kashmir's estimated 9.5 million people, was once known as paradise. Surrounded by arid, high-altitude deserts and huge snow-capped peaks, the valley itself is a wide plain with fertile land and other natural resources. Its green fields, surrounded by the alpine-covered slopes, offer unparalleled scenery. Humandar is one small village out of hundreds in the violence-torn territory, where tens of thousands have been killed since India and Pakistan gained independence in 1947.

The village lies along a common route for militants crossing the Line of Control, the de facto border between the two countries. People here know that with Kashmiris caught between India, Pakistan and a host of foreign-born, foreign-trained militants, *azadi* is not likely to come anytime soon. For now, they would just like to end the violence. "We are scared of anyone with a gun," says Saiffudin, the village chief who lost one of his legs and his 13-year-old daughter in an attack on his house two years ago. "Everyday, we must think about our safety."

Many in Humandar had pinned their hopes on the Indo-Pak summit held in Agra, India in mid-July. Indian Prime Minister Atal Behari Vajpayee and Pakistani President



Arun Bhat, 11, has lived in a refugee camp his entire life.

Pervez Musharraf were meeting to try to iron out their differences on a variety of issues, most importantly the lingering dispute over Kashmir. However, the summit failed even to bring about a joint statement that both sides could agree upon.

Since 1947, Kashmir has been not only the subject of a military conflict, but also a political, verbal and psychological one. Kashmir is the feather in India's cap of secularism: the only majority-Muslim state within India's boundaries. At the same time, Kashmir is used to stoke Hindu nationalism by posturing about Pakistani aggression in the state. Before the Indo-Pak summit, Indian politicians, left and right, proclaimed that all of Jammu and Kashmir was an integral part of India. Yet the people of the region have never been allowed the plebiscite required under a 1949 U.N. resolution.

On the other side of the border, Pakistani leaders too use Kashmir to fuel hatred and resentment, claiming discriminatory treatment against Muslims by the Indian army. Musharraf, who came to power in an October 1999 coup, became a national hero earlier that year for his role in orchestrating the invasion of Kargil, when militants backed by the Pakistani army and supported with Pakistani artillery crossed the Line of Control to occupy some mountain tops in Indian territory. To the hard-line clerics and military officers who back Musharraf, he is a symbol of pride and strength for a country with a perennial inferiority complex. The military is also no stranger to power in Pakistan, having ruled for more than half of the time since independence.

Islamists in Pakistan have declared the fight for Kashmir a *jihad*, a holy war. When the current insurgency began in 1989, the militants were mostly locals led by the Jammu and Kashmir Liberation Front (JKLF). But over the years, these separatists have been supplanted by *mujahideen* from not just Pakistan but Afghanistan, Saudi Arabia and Sudan. While these outfits are certainly supported by Pakistan, it is unclear how much authority the Pakistani army or government have over their actions.

In the West, people generally view Kashmir as the site of a conflict between Hindus and Muslims. But Balraj Puri, a freedom fighter from independence times and a long-time campaigner for human rights in Jammu and Kashmir, says this analysis is too simplistic. "That is just one aspect of it," he says. "The people of the state are fragmented, confused and disillusioned. All of their leaders have failed them."

Since 1989, Indian security forces estimate that 35,000 people have been killed, including soldiers; human rights activists put the number at closer to 70,000 civilian lives lost. In addition, according to Zahir Rudin of the Association of the Parents of Disappeared Persons, more than 4,000 people in Jammu and Kashmir, mostly male youths, have been

Delhi has resolutely refused to grant the required sanction for prosecution. Furthermore, attorney Shahwar Gauhar, of the South Asian Forum for Human Rights (SAFHR), accuses the army of widespread harassment, torture, arson and rape.

But the military is not the only culprit in the mayhem that

has engulfed this beautiful mountain region. Though their recent tactics have shifted to suicide bombings and attacks on military targets, Islamist militants in the past have undertaken mass terror campaigns. And the militants also contribute to the daily harassment of civilians, just as the army does. When something is "banned" in Srinagar, it not the government but the militants who have forbidden it.

Adding to the mess is the murkiness of who is to blame for recent attacks on civilians. The army blames the militants; human rights activists blame the army. The *mujahideen* blame the renegades, a group of former militants who have surrendered and now aid the army. Declaration and counter-declaration do little for the Kashmiris. But whom should the Indians and Pakistanis—let alone the United Nations—listen to? With such diversity

among its people, who can really claim to represent Kashmir?

The most strident claim comes from the All Parties Hurriyat Conference (APHC), an agglomeration of political groups in the Kashmir Valley who are mostly pro-Pakistan and all anti-India. The more than 20 parties that make up the APHC vary from stridently pro-independence to absolutely pro-Pakistan. During the Indo-Pak summit the APHC literally created a tempest in a teapot. Musharraf wanted to meet with the

APHC leaders, but the Indian government refused. The sides went back and forth over whether there would be a meeting, and the APHC eventually had a 30-minute, one-on-one chat with the general during a tea party at the Pakistani high commissioner's residence, much to the chagrin of the Indian side.

At best, the APHC could be said to represent the 37 percent of the population of Jammu and Kashmir who are



PHOTOS BY PETER CHOWLA

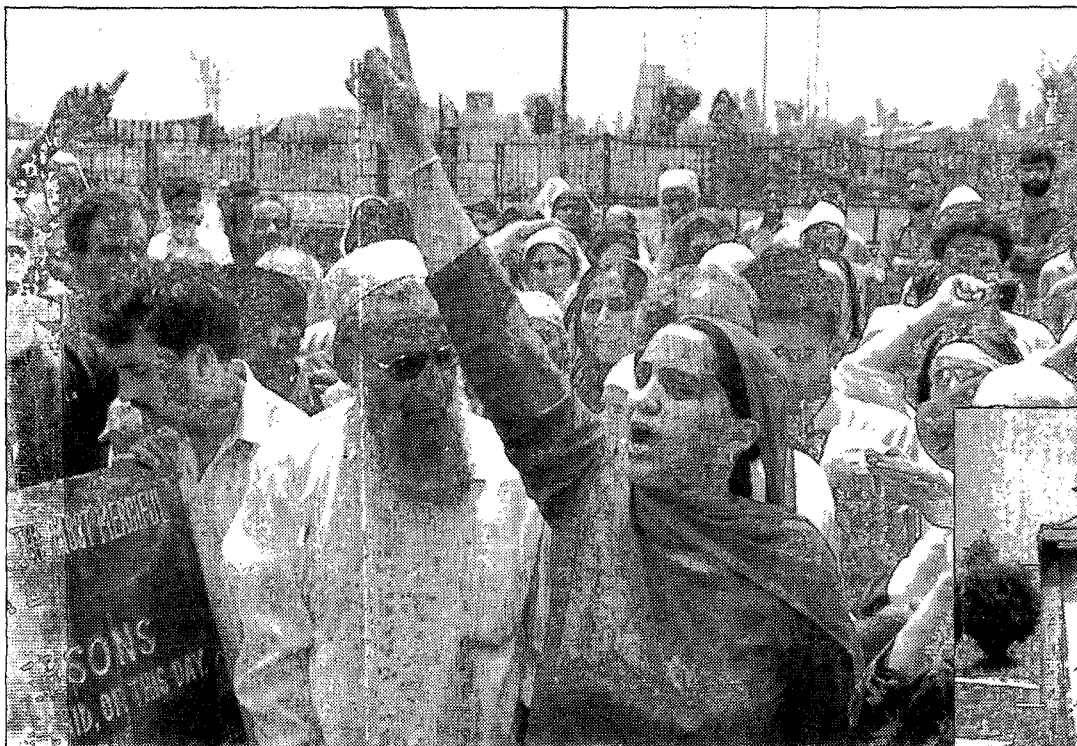
ABOVE: A heavily armed soldier on patrol in Srinagar.

LEFT: Coveted by India, Pakistan and China, many fear that Kashmir could be the flashpoint for a nuclear war.



STEVE ANDERSON

taken into custody by the security forces and never seen again. In 500 such cases there are specifics on file of who was taken into custody, by whom and when. In some cases, it has been 10 years since the arrest and still there is no word on the whereabouts of the detained. In a startling 50 cases, the High Court of Jammu and Kashmir has actually ordered prosecution of specific officers who have been identified as the culprits, but New



LEFT: Parents and family members rally at a memorial ceremony for the 4,000 people who have disappeared since the insurgency began in 1989.

BELOW: The grave of Ashiq Hussain Kant of Srinagar, located at Shaheed Wazar, commonly known as "Martyr's Graveyard."



Kashmiri. What about the remaining 63 percent? The next most vocal group is the elected state government of Indian-held Kashmir, which is ardently pro-India. But most Kashmiris say the elections are rigged, and it's hard to believe otherwise, seeing the overwhelming public sentiment against India. There are a whole slew of other people living in Jammu and Kashmir who have no mechanism for their wishes to be heard. The Ladakhi people, who are mostly Buddhist and have strong links to Tibet, demand territory status within India; the Jammu Dogri, mostly Hindu, want separate statehood; and the Hindu Pandits seek a separate homeland within the Valley. No one heeds their calls.

But even the Pandits, 250,000 of whom fled from the Valley of Kashmir in 1990, feel exploited. The ruling Bharatiya Janata Party (BJP) is getting mileage out of the sympathy from the Hindu majority in India. But this has not translated into improvement in the lives of the Pandits. Speaking with the Bhat family, living in the Muthi relief camp in the city of Jammu since they left their homes, one can sense the anger toward the government. "The BJP is popularizing the situation," Badrinath Bhat says, "but still they don't give us employment or land."

The other side of the Line of Control is no stranger to this problem. Recent elections for state government in Azad Kashmir (otherwise known as Pakistan-occupied Kashmir, or PoK) were rigged. In this case, the Pakistani administration simply banned parties that did not support the accession of all of Jammu and Kashmir. Demonstrations for independence in the PoK have met with violent repression.

So can a representative be found to speak for the people? "The leaders have no right to impose a solution," says N.A. Baba, head of the political science department at the University of Kashmir. "Kashmir is a heterogeneous place. Plurality is important to any solution. Thus, it has to be an imaginative one."

Imagination was definitely not in the cards for the Agra summit. But the stalemate was not over a solution to Kashmir, or even on the inclusion of Kashmiris in the talks. The two leaders could not even agree on whether to work on Kashmir first and then other bilateral issues, or to work on Kashmir and other issues simultaneously. Immediately after the summit, the two leaders claimed that it was not a failure, merely a beginning to a process to resolve all the outstanding issues. Yet within a week the blame-game began. With the hardliners scoring a victory in Agra, it is unlikely that the next round of talks will get the two leaders any closer to a solution.

Vajpayee must keep the Hindu nationalists happy if he wants his coalition government to remain together. He is walking a tightrope, and any movement from the broad consensus will upset the balance of power in a coalition that has already been rocked by scandals. Musharraf also must navigate a web of political intrigue. While he has tried to consolidate power, the militant outfits and religious leaders are still beyond his grasp. And he must please the army brass or risk being toppled by another coup.

The Agra summit was the first sign since the Kargil battles of 1999 that Kashmir might see some relief. But since independence, the heads of India and Pakistan have met each other no less than 48 times, with more than 20 summit-level meetings. None of those talks have led to peace, and there was little chance that this one would be any different. Everyone in Kashmir expects things to get worse, not better.

Alamudin's dream of *azadi* again has been deferred. ■

Peter Chowla is a freelance journalist who lives in New Delhi.

Pariah Nation

**The Burmese junta is reaching out to Aung San Suu Kyi.
But are the generals really changing their ways?**

By Joshua Schenker

RANGOON, BURMA

Most days, the area surrounding University Avenue, home to one of the world's most famous political prisoners, is quiet. Outside the house of Aung San Suu Kyi, the Burmese opposition leader who has been under house arrest on and off since the ruling junta cancelled elections more than a decade ago, barricades prevent curious visitors from getting too close. Troops wander around, smoking cigarettes and chatting among themselves. Several blocks away, a few aging Japanese sedans and battered three-wheeled taxis putter along.

Inside Suu Kyi's home, however, momentous happenings appear to be underway. For the first time since the mid-'90s, leaders of the Burmese junta have initiated a dialogue with Suu Kyi's party, the National League for Democracy (NLD), on the shape of Burma's political future. And as discussions between the NLD and the junta have proceeded, some optimistic observers are predicting that four decades of military rule are drawing to a close. But in Burma, a land ruled by an opaque regime, events are rarely as simple as they seem.

Burma's politics seem to be changing for the better, but maybe that's because they hardly could get worse. In 1962, the military seized power and plunged Burma into decades of self-imposed isolation. As Burma's economy, once one of the strongest in Southeast Asia, deteriorated, it triggered popular unrest. In 1988, anti-government demonstrations shattered the state's tranquility and brought Suu Kyi, daughter of slain independence hero Aung San, to the forefront of the pro-democracy opposition. But the military crushed the 1988 demonstrations, killing thousands of students; in 1989, it placed Suu Kyi under house arrest.

Yet in 1990, the military regime allowed free elections, perhaps because the junta mistakenly believed it would win the poll. Instead, the NLD swept the election. Shortly afterward, the junta nullified the vote, and Suu Kyi remained under house arrest. (After throwing out the 1990 elections, the generals

began calling the country Myanmar.) She was freed in 1995, but placed under house arrest once again last fall after attempting to travel outside Rangoon to visit members of her party.

While Suu Kyi languished, the junta attempted to demolish the NLD. The regime closed Rangoon's universities, which had been hotbeds of protest in 1988, creating a lost generation of Burmese students who never finished their education (hundreds of unemployed young adults can be seen spending their days idling around downtown Rangoon). Lower-level NLD workers were detained in government-run "guesthouses," and many NLD party offices were shuttered. Tin Oo, a leading member of the State Peace and Development Council (SPDC), the official name for the junta, told Burma's state press that Suu Kyi would be "crushed without mercy."

In January, however, a junta spokesman unexpectedly announced that the generals were talking with Suu Kyi in an effort to promote national reconciliation and stability.

Although the junta has refused to provide details of the talks, sources in the military say that top members of the junta have been regularly visiting Suu Kyi's home.

In an apparent effort to demonstrate its sincerity, the junta also has made concessions to the NLD. The generals have allowed Suu Kyi to meet with the U.N. human rights inspector, who had been barred from Burma for five years. The SPDC has released more than 140 political prisoners, including two famous comedians known here as the "Mustache Brothers" who had been

jailed for performing skits that poked fun at the government. The military also allowed the NLD to reopen a party office in Taikkyi, a suburb of Rangoon, and freed Suu Kyi's cousin and aide, Aye Win, from prison. "The SPDC has taken some steps that show they're trying to boost goodwill towards Suu Kyi," says David Steinberg, a Burma expert at Georgetown University.



Aung San Suu Kyi remains under house arrest in Rangoon.

PORNCHAI KITTIVONGSAKUL/AFP

Almost immediately, key players praised the apparent rapprochement. In early 2001, the All Burma Students Democratic Front, a Thailand-based organization of Burmese students who have fled the country, celebrated the dialogue as “a historic breakthrough.” Meanwhile, Surakiart Sathirathai, foreign minister of Thailand, told reporters: “National reconciliation [in Burma] is moving.”

Exactly why the SPDC decided to open a dialogue with Suu Kyi is unclear. A few analysts say sanctions levied against Burma by Western governments—including the United States—finally embarrassed and isolated the regime so much that it was forced to negotiate. Others posit that Burma’s recent economic collapse forced the generals to the bargaining table. The Burmese economy definitely has seen better times: Inflation is running at more than 20 percent, and the country’s currency, the kyat, is depreciating precipitously. Essential goods in Rangoon have become at least four times more expensive over the past three years.

But to many Burma experts, one thing is clear: The military is not going to fade away into the smoggy Rangoon night. “The regime doesn’t want to lose control—it saw how the military in Indonesia was made feeble when it allowed some power to be handed over to civilians,” says Michael Aung-Thwin, a Burma expert at the University of Hawaii. “The junta remains conservative, and I don’t think for a moment that the NLD will wind up in charge of the country.”

Indeed, while talking with Suu Kyi and using the dialogue to woo the regional and international media, the junta has continued to consolidate its hold on Burma. Although the case has received limited attention in the press, Suu Kyi’s brother, Aung San Oo—a businessman and U.S. citizen—has sued his sister in an attempt to reclaim half of her residence, which he says should be a jointly owned family property. Several Bangkok-based analysts believe the junta pushed Aung San Oo, who is not a pro-democracy activist, to file the suit. Since foreigners cannot hold property in Burma, if Aung San Oo wins, his half of the house would be turned over to the government, which then potentially could evict his sister.

What’s more, Suu Kyi remains under house arrest, and the country’s jails are still near bursting. According to Amnesty International, the Rangoon junta holds more than 1,800 political prisoners. Over the past year, the military arrested more than 200 members of opposition parties. “While they’re

talking with Suu Kyi, the military is taking more political prisoners,” says Jeremy Woodrum, director of the Washington office of the Free Burma Coalition, a pro-democracy group.

On this year’s Armed Forces Day, a time when top brass signal the coming year’s policies, junta head Than Shwe warned that democracy would bring “chaos and instability” to Burma. Than Shwe’s tough comments lend credence to

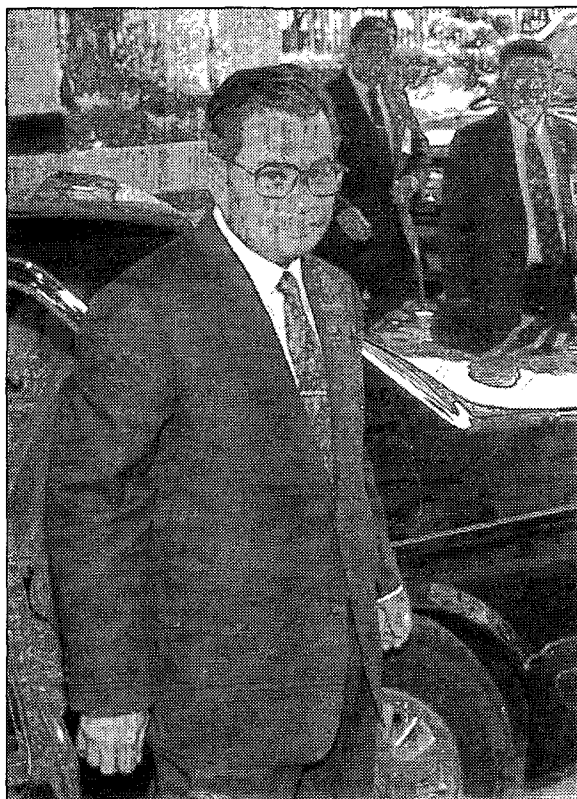
reports that, even as talks continue, a group of hard-liners centered around army chief Maung Aye has gained the upper hand within the SPDC. Perhaps because of the junta’s intransigence, Suu Kyi did not appear at a Martyr’s Day parade honoring her father—a move analysts took as a sign the opposition leader was fed up with the regime’s dialogue.

Outside Rangoon, the military continues to battle ethnic-minority militias and to align itself with some of the world’s most unsavory drug traffickers. The SPDC “continues to vigorously wage war against the ethnic nationalities and ruthlessly oppresses the people,” read a statement issued by the Karen National Union (KNU), one of the leading militias. “These acts are diametrically opposed to the goal of resolving basic political problems.”

To fight the KNU and other ethnic minority groups pushing for democracy, the junta allies itself with the United Wa State Army (UWSA), a guerrilla group based along the Thailand border that funds itself by trafficking opium, amphetamines and other drugs. Although SPDC leaders insist they are doing their best to combat narcotics production, drug enforcement officials based in Southeast Asia contend that the Rangoon

regime turns a blind eye to the UWSA’s business, and even skims off a percentage of their drug money. “The drug trade has become a significant factor in the overall economy, and the regime has obtained vital revenue from the reinvestment of narcotics profits,” says a report on Burma by the International Crisis Group. In recognition of the junta’s support, the UWSA battles ethnic minority opponents of the junta.

Meanwhile, the SPDC has utilized the talks with Suu Kyi to boost ties with Asian neighbors, who are more important to the junta’s long-term survival. Rangoon today has few economic ties with Western nations—Japan, China, India, Thailand, Singapore and Pakistan are Burma’s most important allies—and the country’s economy revolves around the military. “The junta has tight control of the important sectors of the economy, and it is actually consolidating that



Gen. Than Shwe says democracy will bring “chaos.”

The junta has been utilizing the talks with Suu Kyi to boost ties with its Asian neighbors, which are crucial to its long-term survival.

control," Aung-Thwin says. "The Asian nations are much more willing to do business with Burma. ... The sanctions don't really affect Burma's business with China or Thailand."

These Asian allies now are drawing closer to Rangoon, as the stigma of dealing with the SPDC has begun to dissipate. Over the past two months, Japan's most powerful business group, the Keidanren, has held talks with the junta, and the Japanese government has approved a \$28.6 million aid package to Rangoon. "It is extremely important to the Japanese government that they have influence in Burma," Steinberg says. "They will do most anything to be in Burma." Meanwhile, Malaysia is helping to develop Burma's gas fields, and Thailand's new prime minister, Thaksin Shinawatra, has demonstrated no interest in discussing Burma's human rights problems.

Despite the significant obstacles to any deal between the junta and Suu Kyi, several influential commentators continue to promise a major breakthrough. Thai Defense Minister Chavalit Yongchaiyudh, who has close ties with several SPDC members, told local reporters that the NLD and the junta could soon form a national government. "I've got a sixth sense that something positive is going to happen soon," Chavalit said. "The trend is quite encouraging." Meanwhile, Roger Mitton, a writer for *Asiaweek* and probably the most influential journalist on Burma issues, has suggested that the junta and NLD might agree to a deal in which the generals would receive an amnesty and Suu Kyi would become head of state.

But this optimism seems misplaced. Burma has little culture of political pluralism: Since World War II, the country has experienced six decades of turbulence, in-fighting and military rule. Ethnic divisions still plague the country. The junta continues to hold nearly all the cards, and it may be playing its aces to lure Asian companies and overcome Western sanctions.

"The SPDC has held talks with Suu Kyi before [in 1994], when they ended the talks and then blamed the failure on Suu Kyi," Woodrum says. "They could easily end the dialogue again and then blame Suu Kyi for being difficult." Indeed, Steinberg adds, even if the dialogue between the SPDC and Suu Kyi continues, the most likely scenario is some arrangement where the junta retains almost total power over the command-style economy and considerable control over the political scene.

For its part, Washington can't do much to help the opposition. Although Burma's economy is in bad shape, and proposed U.S. legislation to ban all imports from Burma would hurt Rangoon's garment industry, as the SPDC develops closer trade and aid links with its Asian neighbors it has less need for American investment. "Certainly, the regime would like American companies to come to Rangoon, but it doesn't need them if Japan and Thailand are pragmatic and invest in Burma," says Aung-Thwin. "So the SPDC can continue to go its own way." ■

Joshua Schenker is the pen name of a journalist who has written extensively on Southeast Asian politics.

Burma Inc.

Keeping the pressure on the junta and its corporate partners

By David Moberg

There may be no country with a worse record on labor rights than Burma, where the military regime regularly forces workers to toil on government and private projects for no pay. If the new global order can't act against such an extreme case, then there is little hope of effective protection of labor rights anywhere.

The campaign to support the democratic opposition in Burma nevertheless has exerted significant pressure on the ruling junta, mainly by attacking corporate investment in Burma and sales of Burmese products. The drive for strong economic sanctions has the support of opposition leader and Nobel Peace Prize winner Aung San Suu Kyi.

In the '90s, U.S. supporters of Burmese democracy attacked companies that operated in Burma with demonstrations, newspaper ads, shareholder resolutions and embarrassment of corporate officers and directors, forcing corporations such as Amoco, Texaco, Pepsi, Disney, Ericsson and Levi Strauss to withdraw from the country. But some U.S. companies remain, most notably Unocal in partnership with France-based TotalElfina.

The screws tightened a bit more in 1997 when President Clinton issued an executive order prohibiting new investment in Burma—action stronger than the sanctions imposed by the European Union, but weaker than measures sought by

pro-democracy campaigners. Although George W. Bush had said he opposed economic sanctions, he recently renewed Clinton's ban—an indication of how much of a pariah Burma has become.

After the sanctions, the regime needed new sources of income to supplement the cash generated by its two major exports—energy (oil and natural gas) and drugs, especially heroin. Many Southeast Asian governments, embracing Burma, have ignored its human rights violations. Capital has flowed in from Malaysia, Singapore, Taiwan, Hong Kong and Korea, especially into garment factories that military officials control.

According to the Economist Intelligence Unit, wages in these factories are as low as 4 cents an hour, the lowest-paid workforce in the world. Garment exports to the United States—which could have unilaterally set quotas as low as it wanted—rapidly expanded, hitting \$412 million last year and probably close to \$500 million this year, making the United States Burma's largest garment export market.

Last year, the National Labor Committee, which has led many sweatshop fights, and the Free Burma Coalition exposed prominent brand names and retailers, including Kenneth Cole, Jansport, Nautica, Adidas and Ikea, whose products were made

in Burma. With the glare of publicity, many of those companies promised to cut off all Burmese sources. Even Wal-Mart, which initially refused, made the pledge after revelations that one of its suppliers was a major druglord. But anti-sweatshop groups report that others—like the big May and Federated department store chains, Fila and Tommy Hilfiger—continue to buy from Burmese factories. Meanwhile, as some big name brands pledge to avoid Burma, Burmese products have flooded into bargain retailers like Ames and Costco.

A bipartisan coalition in Congress, led by liberals like Iowa Sen. Tom Harkin but also including right-wing Republicans like North Carolina Sen. Jesse Helms, is backing legislation that would ban all imports from Burma until there is significant progress on human rights, democracy and counter-narcotics action. Although there is little overt opposition to the ban, mainly from the apparel importers trade association, there is a lot of foot-dragging from even moderate Democrats “who favor trade over human rights,” according to Simon Billenness, a leader in the Free Burma Coalition.

The legislation was prompted not only by the soaring imports, but also by an unprecedented decision last year by the International Labor Organization to ask its members—which include governments, unions and businesses from most countries in the world—to review relationships with Burma and cease any activity that could abet forced labor. Although this first-ever ILO call for such concerted action was theoretically a step toward global enforcement of core labor rights, there have been few concrete responses.

Indeed, many are weary of challenging the free trade regime. World Trade Organization Director Michael Moore admitted two years ago that his organization would do nothing about labor practices in Burma, a WTO member. And under the WTO, the European Union and Japan had earlier challenged a 1996 Massachusetts law, modeled on the anti-apartheid measures aimed at South Africa in the '80s, that prohibited state government purchases from companies doing business in Burma. The WTO never ruled on the challenge because the Massachusetts legislation, which had inspired several cities to pass similar laws, was overturned in the courts first.

But legal advisers to the democracy campaigners suggest that states and local governments could pass other legislation, including calls for divestment by public bodies, such as pension funds, of stock in companies that do business with Burma. Los Angeles, Minneapolis and other cities, as well as the state of Massachusetts, have either passed such laws or are considering them. Meanwhile, students on many campuses are pushing for divestment or university bans on purchasing from businesses operating in Burma.

Beyond the continuing publicity campaigns against various brands or stores like Suzuki (which has an assembly plant in Burma), Marriott (which has a partnership with a resort hotel in Burma) or Pottery Barn (which introduced a special line of Burmese baskets), groups promoting democracy in Burma, including the international labor movement, are pursuing both shareholder actions and lawsuits against companies.

In 1996 two lawsuits, now partly consolidated, claimed that Unocal was liable for harm to Burmese citizens who were forced to work on its pipeline by the Burmese military, which was a partner with Unocal and provided security for the project. It was the first time that a corporation had been sued for human rights violations under the old Alien Torts Claim Act, which had been successfully revived to sue foreign governmental human rights abusers in U.S. courts.

A California district court agreed to hear the case, and concluded that the evidence showed that Unocal knew about the use of forced labor and benefited from it. But the judge issued

a summary judgment that Unocal was not liable, because the evidence did not show that it had control over the government.

International Labor Rights Fund (ILRF) lawyer Terry Collingsworth, who argued one of the cases, believes that he will win an appeal now underway that argues it was only necessary to show that Unocal aided and abetted the military action and that, in any case, it should have been an issue for a jury to decide, not the judge. Meanwhile, the two cooperating legal teams—from ILRF and EarthRights International—also are

suing Unocal for battery, unlawful detention, slavery and other abuses in California state court. The cases could cost Unocal well over \$1 billion if it loses.

Earlier this year, the AFL-CIO, the labor-linked LongView Investment Fund and the Maryknoll religious order sponsored shareholder resolutions at different companies, including Unocal, Citigroup, McDermott International and Halliburton. These resolutions typically asked the companies to guarantee that they are not involved in forced labor or violation of sanctions in Burma. Although none passed, they did win strong support in comparison to previous Burma-related resolutions.

Such actions send a clear message that the high legal and political risks of doing business with the junta could depress stock value and corporate performance. But while supporters of Burmese democracy put pressure on governments and corporations in the United States and Europe, the military regime can still count on investment from Asian neighbors, new foreign aid from Japan and aggressive marketing of cheap Burmese goods by Chinese businesses. Despite government talks with the opposition, there are no signs of progress toward democracy or an end to forced labor. ■



Burmese exiles protest against the energy giant Unocal, which is being sued for battery, unlawful detention, slavery and other abuses.

LEE CELANO/AP

Poetry and Velorution

By Sandy Zipp

Bike messengers seem out of place in the streets of our downtowns. Despised and envied by the "suits" they serve all day, messengers

The Immortal Class: Bike Messengers and the Cult of Human Power

By Travis Hugh Culley
Villard
324 pages, \$19.95

are simultaneously outside commerce and nothing more than commerce. They thumb their noses at workaday propriety while turning their very bod-

ies into mere shuttles for the push and pull of business transaction. Their sweaty labor seems almost anachronistic in our supposed new clean keyboard utopia, some relic from a decidedly archaic world where information has to assume material form to move. And yet they're the communications system of the real-world network, transmitters endlessly coursing across the spaces between nodes on the grid. They are both isolate flecks in the data stream and potential connection points between labor and the information economy, bearers of new public visions and a possible politics.

In *The Immortal Class: Bike Messengers and the Cult of Human Power*, Travis Hugh Culley delivers a powerful articulation of the politics drawn from his labor. Careening back and forth between anti-car polemic, road-warrior tall tales and two-wheeling prose poetry, Culley's memoir does threaten to fly apart from the force of his own enthusiasm. Nevertheless, he fits together the strands of these expressive worlds like he might an intertwined series of pickups and dropoffs across the Chicago Loop. They coalesce into a story about a political awakening that begins in work and the hard lessons of exertion, pain and exhilaration.

Bike messengering begins for Culley as nothing more than a job, a way to support his ambitions in the theater. But by the end of the book, it's a way of life, galvanizing his participation in Critical Mass—the monthly bike-ride-cum-protest held in cities around the world—and other bike activism of the mid-to-late '90s. Culley matures as a messenger while the Chicago bike insurgency comes into its own, earning the ire and retribution of Mayor Daley's police. The narrative here covers both stories; perhaps Culley's most subtle and important achievement is bringing day-to-day toil and transportation politics into close conversation. "The bicycle,"

he writes, "is a revolution, an assault on civilian territory, intent on taking, from the ground up, responsibility for the shape of our cities. It is a mutiny, challenging the ever-one-way street. The bicycle is a philosophy, a way of life, and I am using it like a hammer to change the world and to redeem our war-torn cities."

This kind of manifesto-speak, smashing along with its "assaults" and "mutinies," seems ill-fitted for any lasting sense of "responsibility for the shape of our cities." Still, Culley's brief, impressionistic forays into urban history—he makes a detour into the long-term failure of Daniel Burnham's 1909 City Beautiful plan for Chicago—make it plain that generations of "accredited" planners have bungled the job already, giving American cities over not to people, but to cars. And, in stumping for the human-powered transportation revolution, Culley demands a hearing for new kinds of urban knowledge, for the street-level experiences around which cities might be shaped, and for humility before city overload. "You may say my perspective is unaccredited," he writes, "but in the face of clouds reflecting across a sea of steel surfaces, concerning the meaning of street signs and the way the heart sinks at the sight of a tide of fuming freight trucks, who can claim to be anything other than an amateur? Can anyone really be authorized to cast a net over all this?"

Sometimes such passages seem to overreach. Still, Culley's editor had the sense to let him write; without his voice, without these flights of fancy we might never believe that any of this matters, that one might find anything other than drudgery in running errands for businessmen. Luckily for the reader, his undisciplined, rangy account gives grit to his more removed meditations. The political and ethical visions that undergird Culley's polemic begin in his personal immersion in the details of work, in the imaginative resources brought to bear on labor that give purpose to routine.

A friend of mine once observed that there is a certain soul to the job of messengering. It's in making a steady, motionless track stand at a busy



KELLY CAMPBELL

intersection or a graceful, soundless curb hop paired with a fluid dismount and lock-up. It's in the sight of a rider, up out of the saddle, weaving and ducking through a rush-hour traffic morass in the last of the day's light. Culley, too, contributes his own aesthetic indulgences. For instance, he attempts to reveal in prose the "kinetic intelligence" of riding in traffic: "When riding I do not concentrate on what my hands and feet are doing. I focus on the space at hand, what is there, what is not there, and what is coming into being. I rarely dodge. It's more like I swim toward emptiness, analyzing what is in front of me by the speed with which it comes at me. I am not moving through space as much as I am expanding space where, in speed, it seems to fall away."

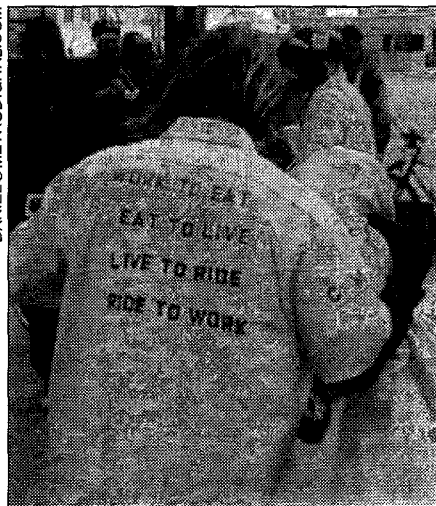
Even more, he reveals what it feels like to spend all day, every day on a bike, how he takes account of the city beneath the wheels and makes his own mental geography. Every straight-away, descent and climb; every pothole and bump course up through the wheels, fork and frame and into his legs, measuring distance in fatigue and endurance. He gradually comes to understand how messengers measure the landscape with a cartographic eye, learning to navigate the city streets by a subtle meld of experience and intuition. They feel their way over the raw geography undergirding the pavement, steadily collecting the lore of two-wheeled transit: which streets have the most treacherous streetcar tracks or subway grates, which have cratered pavement or daunting climbs, which combination of streets delivers the most satisfying ride. He discovers an underground Chicago, a series of roadways and garages beneath the surface streets amongst the skyscraper foundations, "a hidden zone for taxis, freight trucks, suburbanites, and wild-eyed messengers on scratched-up racing bikes."

These urban discoveries ensure that Culley won't accept a cubicle-bred myopia about the city and the variousness of its streets. Instead, the book gives a strong sense of the pragmatic interconnection, both geographic and imaginative, fostered by bike messengering. This connection—whether to fellow riders, the city or even drivers—becomes

the basis of a politics of redemption, a blueprint for bringing those many worlds into a kind of rough conversation.

Even if cities are now made for cars instead of people, it seems to bother most people only inasmuch as it makes it harder for them to get places in their cars. There seems little way to break the emotional bond between Americans and the four-wheeled steel boxes. Courts even have written cars into the law and bikes out. Galvanized by an Illinois Supreme Court ruling that bicyclists were not "intended and permitted" users of public roadways—and thus did not have the same rights as motorists—the Critical Mass movement mobilizes, putting more people in the streets each month.

DANIEL@METRODIGITAL.COM



"The bicycle is a philosophy, a way of life, and I am using it to change the world."

But after months of random harassment, the police decide to drive the monthly bike cavalcade from the streets, setting an ambush for the September 1998 ride. They arrest almost 15 riders, precipitating an angry protest in front of a station house. The cops attack there too, making more arrests, trying to disperse the protest with batons and fists. The police clampdown leaves Culley demoralized, and not long after he gets off the road, taking a job at a museum.

Then, the next spring, a driver runs down and kills a messenger in a fit of road rage. Culley joins an anguished memorial Critical Mass for the downed rider, a guy he had known. The event is somber and tense, and at the scene of the crime the riders are confronted by the jailed killer's family. They seem to believe the messenger had no right to the road, and thus his life. Still, there's something cathartic for Culley in the ride, and as it makes its way back to the Loop, he brings the narrative together from the middle of the rolling crowd. That day and in the days afterward, as the messenger community grieves, he begins to catch sight of a way out of the madness, a vision of "a sustainable Chicago covered with bikes-only streets, quiet trains, and a patient, car-free, delivery based roadway. ... For the bicycle and the culture that supports it, we are helping to give the city a resurrection, a second coming of the City Beautiful, a second chance at really working."

Culley's book has aroused some ire in the insular and self-protective messenger scene. Initially conceived as an anthology of writings by messengers and bike activists, the project was deemed unsaleable by all the publishers who looked at the proposal. However, a few asked to see a memoir from Culley instead. Giving in to the demands of marketing, Culley went to work on the memoir, meanwhile forgetting to tell some of his former contributors that plans for the anthology were off. Despite his successful efforts to honor the messenger community, the result certainly reads, not surprisingly, more like Culley's own imaginative take on messengering than an insider's account.

But *The Immortal Class* is more than than a commune from a quirky subculture. Culley makes the details of everyday work and the dignities of a considered way of life resonate with a political vision for a sustainable city. His exuberance pushes *The Immortal Class* beyond the solipsistic realm of memoir into the haphazard but ultimately more rewarding terrain of poetic testimony for an emerging social movement. ■

Sandy Zipp wrote "The Battle of San Francisco" in the April 2 issue.

Broken Law

By Megan Costello

On March 16, 2000, a team of three undercover narcotics officers working Midtown Manhattan held out for one more bust,

Illusion of Order: The False Promise of Broken Windows Policing

By Bernard Harcourt

Harvard University Press
288 pages, \$35

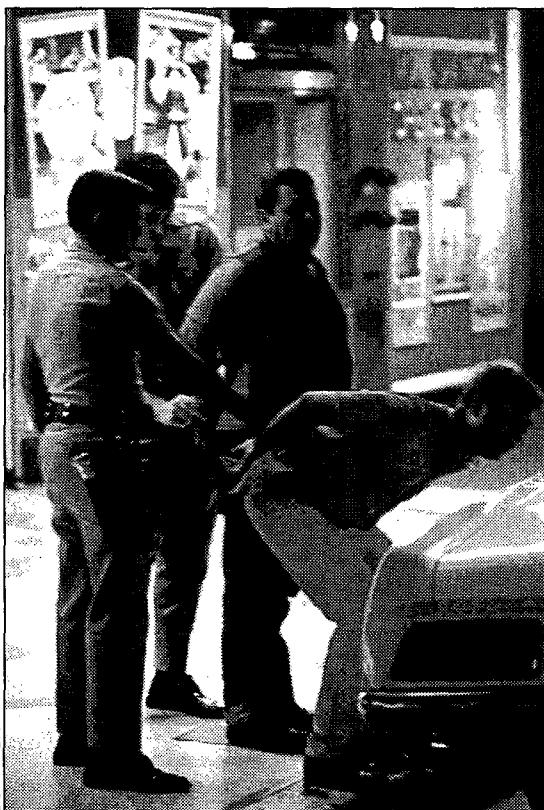
hoping to round out the day's arrests at 10. For the setup, one of the officers played the user. He approached a black man standing outside a cocktail lounge: "You know where I can find some weed?" Offended at being taken for a dealer, the man told the undercover cop to get lost. Angry words escalated to flying fists. Another officer rushed in, gun drawn. A moment later, the man was dead.

The officer who shot unarmed Patrick Dorismond belonged to the NYPD's recently hatched Operation Condor, which aggressively pursues misdemeanor drug offenders. (The unit shares its name with another notorious undercover operation—the U.S.-sanctioned hunt for South American dissidents during the '70s and '80s.) New York's Condor is but the newest incarnation of an "order maintenance" approach to policing that has dominated New York for almost a decade. Order maintenance—as old a concept as policing itself—was revived nearly 20 years ago by the much-lauded "broken windows" theory. In *The Atlantic Monthly*, criminologists James Q. Wilson and George L. Kelling set out their common-sense thesis that disorderly streets communicate a lack of control, emboldening criminals, distressing law abiders and plunging the community down a "spiral of urban decay."

Broken windows is perhaps the most seductive criminal justice theory to emerge in decades. But in *Illusion of Order: The False Promise of Broken Windows Policing*, legal scholar Bernard Harcourt meticulously scrutinizes and

evaluates the theory that has inspired, among others, the "quality-of-life" campaign in New York, loitering ordinances in Chicago, a juvenile snitching initiative in Charleston and the youth curfews observed in hundreds of cities throughout the United States.

From the '70s onward, policymakers faced with social disillusionment and dwindling public resources increasingly abandoned the root-cause approach to crime prevention. By the late '80s, their cities plagued by delinquency and



BOB FITCH

decrepitude, public policymakers seized upon the broken windows theory and its promise of a cure-all for crime. Yet there is no evidence that disorder actually causes crime, Harcourt argues, and policing it has proven at odds with democratic principles of civil liberty.

The broken windows theory also marks a turn toward incorporating social meaning and norms into the classical model of criminology. According to

"social norm" proponents, the "social meaning" of order dissuades would-be criminals by signaling that the community is in control and crime ill-tolerated. By dispersing loiterers, painting over graffiti and mending the proverbial broken windows, cities can control serious crimes such as homicide and rape.

But police officers are not maintenance men or social workers. Order-maintenance policing may in fact cut crime, Harcourt says, but not through the mechanism of social influence. "It is somewhat jarring to uncover what appears to be a straightforward policy of aggressive misdemeanor arrests masquerading as a neighborhood beautification program or as an innocent phenomenon of social influence," he writes. Harcourt

notes that Kelling himself has said that broken windows reduces crime "at least in part because restoring order puts police in contact with persons who carry weapons and who commit serious crimes."

Under the guise of order maintenance, then, police cast a wider net for illegal weapons and drugs, ensnaring those with outstanding warrants and enlisting more informants in the process. Harcourt cites former New York Police Commissioner William Bratton's telling description of early subway sweeps as a "bonanza." According to Bratton, "Every arrest was like opening a box of Cracker Jack. What kind of toy am I going to get? Got a gun? Got a knife? Got a warrant?"

Although this approach has led to the capture of some real criminals, a vast number of innocent people, such as Patrick Dorismond, are unavoidably enmeshed in the sweeps, stop-and-frisks and buy-and-busts that one NYPD officer referred to as "fishing expeditions." The New York State Attorney General has found that 7 to 10 people are stopped before the NYPD nets one arrest.

Though some have attempted to distinguish between broken windows and zero-tolerance—indiscriminate arrests for minor offenses—Harcourt shows that there is little distinction. From the start, order-maintenance policing in New York City and elsewhere has emphasized sweeps, arrests and detentions.

Unsurprisingly, these methods have swelled courts, jails and probation officers' caseloads. In New York, the mean streets have been painted blue with more than 40,000 officers, in rarefied units like Street Crimes and Condor, who puff up arrest statistics by busting panhandlers, prostitutes, peddlers, drunks, junkies and low-level dealers. After Dorismond's death, it was reported that 75 percent of Condor arrests were misdemeanors, and that misdemeanor narcotics arrests had increased by 68 percent over the previous year. In Chicago, under anti-gang and anti-narcotics loitering ordinances, police have arrested tens of thousands of people for just standing around.

When police exercise discretion—true zero-tolerance is not really feasible—it is often at the expense of people of color, as numerous studies of racial profiling show. Indeed, broken windows criminalizes large swaths of the population—including who Wilson and Kelling call the merely “obstreperous or unpredictable”—making it

The broken windows theory of policing enforces “aesthetic preferences” rather than legal norms.

easier for the rest of us to condone treatment of others that we would not accept for ourselves.

Historically, disorder was annoying, but not criminal. John Stuart Mill's famous “harm principle” holds that “the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others.” The broken windows theory has undermined this principle by asserting the harm of disorder. At the expense of civil liberties, Harcourt

writes, the theory enforces “aesthetic preferences” rather than legal norms.

Returning to Michel Foucault's *Discipline and Punish*, Harcourt relates this development to an earlier shift in the law from the criminal act to the criminal soul. Broken windows, he says, “focuses on the presence of the disorderly rather than on the criminal act. It judges the disorderly not simply by giving the individual a criminal record, and not simply by convicting the person, but by turning the individual into someone who needs to be policed and surveyed, relocated and controlled.”

Worse yet, Harcourt demonstrates through painstaking statistical analysis that the broken windows theory is just not supported by the data. The most frequently cited studies “proving” the theory at best establish a tenuous connection between minor disorder and serious crime—specifically, robbery. At worst, researchers have misrepresented their own data; studies show absolutely no causal relationship between disorder

The New Case for Abolition

Austin Sarat's collection of essays on the death penalty, *When the State Kills: Capital Punishment and the American Condition* (Princeton University Press, \$29.99), arrives swiftly at the most famous capital case in a generation. “Even people normally opposed to, or indifferent about, capital punishment, find themselves drawn to it in McVeigh's case,” Sarat writes in his introduction, arguing that the Oklahoma City bomber has entered the “the pantheon of notorious killers” who, through the ghastliness of their crimes alone, become one-man arguments for state killing.

The argument of *When the State Kills* is that opponents of capital punishment would be wise to move beyond traditional arguments—“humanist liberalism, political radicalism or religious doctrine”—and into a “new abolitionism,” one that looks at what state killing does, not to its victims, but to us. What toll does the death penalty take on our culture, on our relationship as a society to law and its officers? Ultimately the question of whether we should be executing men like McVeigh

cannot, and should not, be answered by evaluating the killer and his actions.

When the State Kills is a bit of a patchwork. Most of the chapters represent revised articles, previously published in *Law and Society Review* and other legal journals. The end product reads more like a series of individual studies organized around a theme than a sustained invective. What we follow from chapter to chapter is Sarat's passion for his subject and his careful analysis; he looks at the death penalty from various angles, each time presenting new ideas, new ways of looking at a system too often taken for granted, adding pieces to the puzzle. In a grim chapter called “Killing Me Softly,” he studies the history of the technology of death, from hanging to lethal injection. Nowadays, the state “seeks legitimacy in an image of the hand of punishment humanely applied.”

In the book's most compelling sections, Sarat presents several capital cases he has witnessed or studied, examining the parallel narratives deployed in a capital case. First comes the prosecution's tale of an awful crime committed by an unthinking

animal, a pure incarnation of evil; then the defense lawyer's narrative of a whole life, typically one of deprivation and sorrow, that led one human being to do one horrible thing. He takes us into the jury rooms, where deliberators reveal surprising reasons for their decisions: Voting for death because they assume it means life in prison, or downplaying their responsibility because they know a judge will hear the case on appeal.

Much less gripping is the long chapter on the treatment of the death penalty in Hollywood films. Sarat moves through *Dead Man Walking*, *The Green Mile* and Sharon Stone's *Last Dance*, arguing that such films uphold a “conservative cultural politics.” Perhaps. One could certainly argue the politics of *Dead Man Walking*, or whether anyone even saw *Last Dance*.

But the point of all this is to move the abolition debate past the base question of “Is it right?” What does it do to us, as the “authorizing agents” of state killing—whether as observers, jurors, or simply mute citizens?

Ben Winters

and crime. The most careful data show, by contrast, that both crime and disorder likely have deeper roots in structural disadvantage, disfranchisement and a lack of community cohesion.

Harcourt's analysis shows that New York's crime wave had already begun to ebb before the quality-of-life initiative, and that there are plenty of other likely factors for the decrease—fewer males aged 18 to 24, more felons in prison for longer, an improved economy, less crack cocaine, and new computerized crime-tracking systems. Moreover, Harcourt notes that cities such as San Diego, which reduced mis-

demeanor arrests, also experienced sharp declines in street crime during the '90s.

If it is doubtful that broken windows has been the mechanism behind diminishing crime, it is clear that by targeting the "disorderly," the theory has fueled aggressive police practices that bear most heavily on the dark, young and poor. While Manhattan's main drags may seem cleaner and safer than they were a decade ago, off to the side, in the neighborhoods and prisons and precinct houses, lurks a larger disorder in the form of racial profiling, police brutality, increased detention, expanded surveil-

lance and the criminalization of a greater share of our citizenry. Among the many casualties are innocents such as the 26-year-old Dorismond, a security guard and father of two young girls. "What we are left with today is a system of severe punishments for major offenders and severe treatment for minor offenders and ordinary citizens, especially minorities," Harcourt writes. "We are left with the worst of both worlds." ■

Megan Costello, a freelance writer based in New York City, can be reached at macello68@hotmail.com.

Buried Underground

By Joshua Klein

Michael Azerrad's 1993 book *Come As You Are* told the tale of Nirvana's exciting rise to prominence, but in retrospect the band's

Our Band Could Be Your Life: Stories from the American Indie Underground 1981-1991

By Michael Azerrad
Little Brown
522 pages, \$25.95

n't so utterly unexpected. The vast underground supports hundreds, if not thousands, of bands constantly on the cusp of mainstream adulation. Fans have seen firsthand what too much fame and fortune can do to their favorite acts, and they pray that their secret won't get out.

Of course, some musicians actively seek out fame and fortune. Ambitious artists such as Bruce Springsteen and Metallica were happily selling out arenas well before

the mainstream caught on. They were cult artists whose cults eclipsed most mainstream acts, and even they were quick to make creative concessions to bring their careers to the next level. Most working bands make a meager living on a more modest scale, but that doesn't make the music any less important.

Michael Azerrad's latest book, *Our Band Could Be Your Life*, takes us back to the vibrant '80s underground explosion. More a series of portraits than a critical analysis, the book nonetheless hints that the rise of the great American independent rock acts of the '80s may have marked the last time the underground would propel pioneering,

essential groups to the brink of stardom, all on their own terms.

The book basically boils down to thirds: the trailblazers (Black Flag, Minor Threat, Hüsker Dü, the Minutemen), the mavericks (Sonic Youth, the Replacements, the Butthole Surfers, Big Black) and the followers (Mudhoney, Dinosaur Jr.). The last group of musicians arguably benefited the most from the inroads made by the first

The Replacements were notorious for intentionally trying to alienate their audiences.



popular breakthrough marked not the beginning of a new era but the end of an old one. Few bands that capitalized on Nirvana's newfound fame lasted through the '90s intact, and most that did seem as boring, banal and insufferable as the '70s cheese-trains punk desperately sought and fought to derail. Sadly, Nirvana's greatest legacy may be its untimely end, not its music.

For the perennially stodgy record industry masses and those poor souls that turn to the radio and MTV for guidance, Nirvana's success may have come as a complete surprise, a left-field shock that shook the foundations of commercial music and rewrote the rules of stardom. But for fans of independent music, the band's ascent was-

two, and ultimately set the stage for Nirvana's alt-rock revolution, but the story really lies with their predecessors. Black Flag and Minor Threat were bands of political action. Manifestos in hand, they criss-crossed the country selling a message of freedom and a punk-rock DIY ethos.

It has never been easier to record and release your own records, but as the media and retailers close ranks, it's harder to make an impact.

In Black Flag's case, the California band discovered and codified a network of clubs, cafeterias and other places to play across America, establishing a performance circuit that exists to this day. The Minutemen and Hüsker Dü demonstrated that a totally independent act could make major artistic statements free of any corporate ties, as their ambitious double-albums *Double Nickels on the Dime* and *Zen Arcade* (released on the same day in 1984) attest. The Ramones, Sex Pistols and the Clash all benefited from major label attention and big name producers; their DIY counterparts in the '80s, at least initially, did without such support.

But once these key inroads were made, the path became much easier for subsequent independent rock excursions. Sonic Youth and the Butthole Surfers might have had it tough at first, but their stubbornly uncommercial music and confrontational performances wouldn't have stood a chance without the strong support network established by their erstwhile peers. Likewise, the Replacements and Big Black, two utterly different bands, had the luxury to indulge one shared trait: a complete and utter disregard for their audience's satisfaction. They didn't give a fuck whether anyone liked them, and sometimes actively tried to alienate their audience. (Azerrad documents

the Replacements' disastrous tour opening for R.E.M. and several other intentionally horrible showcases, concerted efforts to turn people off) Like spoiled kids, they too benefited from their parents' hard work.

In fact, Azerrad repeatedly refers to the '60s ties of this first wave of American indie acts—that they were the last generation to remember firsthand the rise of the American counterculture and the anti-war movement as well as the British Invasion and the first punk revolution. In many ways the topsy-turvy '90s were more than just a numerical inversion of that decade: Where once the counterculture existed as an alternative to the mainstream, the counterculture *became* the mainstream. It was a paradox that couldn't last, and 10 or so years after the halcyon days of alt-rock, radio still exists as sort of an identity-less wasteland—in parallel to the so-called Generation Y now in the crosshairs of cool hunters and cultural watchdogs.

Yet almost every chapter of Azerrad's book, each dedicated to a specific band, suspiciously ends the same way: self-destruction in the face of stardom, with success the ironic catalyst. Azerrad makes a major tonal mistake by concluding his tome with chapters on Mudhoney (basically the Sub Pop story) and Beat Happening (the K Records story), though one suspects he chose these Pacific Northwest paragons to reiterate the obvious connection to Seattle's Nirvana (the success story).

But Azerrad would have been better off finishing with his inspiring chapter on Fugazi. Fugazi's truly alternative model of success—low prices, all-ages shows and completely independent business practices—may prove the way out for so many artists caught in the major-label runaround. The major-label contracts of on-the-cusp bands like Built To Spill but also Pearl Jam are coming up for review, while artists as diverse as Aimee Mann, Beck and Courtney Love have spent the past few years decrying (or escaping) their corporate purse holders. Could another revolution be on the way?

Perhaps, but the damage the last decade exacted on the creative community has already been done. If and

when somebody decides to write about alternative music in the '90s, the book will not be about support networks and "scenes" but about money. If any one lesson can be taken from the tale of Nirvana, it's that authentic trends are regularly destroyed at the meddling hands of interlopers and exploiters.

In the future, everyone will be famous for 15 people," the pop imp Momus has joked, but there's a sad truth to his witty take on Warhol's famous prediction. It has never been easier to record and release your own records, but bit by bit doors have been closed and channels have been blocked (or at least constricted) so that it's harder to make much of an impact. Throughout Azerrad's book, R.E.M. is held up as a small band that made it big through regular channels, but the group's success still seems like it came from good timing and connections as much as immense talent. R.E.M., of course, still exists, but, along with bands like Sonic Youth and Butthole Surfers, they operate at a fraction of the popularity they once enjoyed. That's not necessarily because the bands are no longer making good music or even that fewer people are buying their records; rather, one suspects it's because the major outlets that made them stars have slowly been turning their backs, fans be damned.

The title *Our Band Could Be Your Life* comes from a Minutemen song describing the passion and devotion music can evoke. Azerrad's book stands as a reminder that music is indeed often worth fighting for, and that even the constraints of big corporations can't always withstand the power of pure adulation and a strong support network. But is that still true? As labels consolidate, and monopolistic concert venues and radio stations close ranks, could an independent label like SST really compete its way into stores across the country? The answer is a reserved yes. But a bigger concern is whether a tiny band can still change the face of the world single-handedly. Unfortunately, the answer to that question is dishearteningly unclear. ■

Joshua Klein is a freelance writer who lives in Chicago.

Sucking in the '90s

By A.S. Hamrah

Is it too soon or too late to mourn the '90s? That's a question the combination of Terry Zwigoff, the documentary filmmaker who made *Crumb*, and Daniel Clowes, whose comic book they adapted together,

Ghost World

Directed by Terry Zwigoff

forces us to ask. In 2001, *Ghost World* comes off like a meditation on Clowes's acerbic, poignant series just as much as a reflection on contemporary life.

Clowes's mid-'90s work was a high-water mark of Clinton-era American culture; so was Zwigoff's film on the cartoonist Robert Crumb. Together they've made a film that moves comfortably between the Crumb-Zwigoff prewar aesthetic and Clowes's postwar one. In some ways, the film is a history of how cartoonists and filmmakers have saved the things they love from a culture that insists everything is disposable, especially comics. But it's the tension, not the sympathy, between Clowes and Zwigoff—expressed in the attraction-repulsion felt by their cinematic stand-ins Enid (Thora Birch) and Seymour (Steve Buscemi)—that makes the movie work. When the pair sit silently listening to music, the filmmakers' arguments with the world recede into a repose only record-listening scenes have the privilege of creating in the movies.

Ghost World starts with the alienated teen-ager Enid, dancing in her bedroom to a video clip from a 1965 Hindi musical called *Gumnaam*. Enid, played by Birch like an advanced-placement Louise Brooks, has self-consciously made herself into a secretary-type out of American movie comedy, a Cukor character who's finally had it with everyone and wants out. Her calm disgust in the face of an all-encompassing banality is absorbing, even as she realizes that her friends too get sick of her attitude.

Enid's disaffection protects her from people who can't understand her attachment to a different world, an exciting world of possibility freed from this one's

stupidity, a world she glimpses in artifacts like the scene from *Gumnaam*. When she shimmies in her room to the music of Mohammad Rafi (not to be confused with just-plain Raffi, the saccharine troubadour of contemporary American childhood) she thrusts her arms out in imitation of the glamorous Indian actress on TV, a screen idol more suited to Enid's personality than the music-video stars her peers might ape. It's a moment of familiar adolescent solitude, even if it's played against a movie that looks like something Paramount would've made if they'd signed Little Richard instead of Elvis and allowed Deborah Walley to throw herself around with more abandon. (Similarly, when Enid dons a bondage mask she recalls

sketches are by Sophie Crumb, teen-age daughter of cartoonists Robert and Aline.) The remedial art course she's forced to take in the summer so she can fully graduate from high school (and into her adult life) comes with an instructor (Illeana Douglas) wed to the kind of lamely politicized postmodernism that makes everyone gag but the most eager-to-please. Enid, like they used to say in Marvel comics, is trapped in a world she never made.

Enid and her deadpan best friend Rebecca (Scarlett Johansson) spend their summer days parked in places such as a restaurant that Enid describes as "the Taj Mahal of fake '50s diners." Even when she's groping for something to love about her working-class milieu, Enid expresses a subconscious longing for the East. Maybe that's because her creators are enamored of a film made around the same time as *Gumnaam*, a charming



Enid and Seymour, singles going steady.

Yvonne Craig, Batgirl from the '60s *Batman* TV series, another refugee from an Elvis musical.)

If Enid longs for a world different from the one she inhabits, it's partly because she's stuck in a life that offers her little more than a job at a cineplex concession stand where upsizing by the gallon is mandatory. Even art isn't an escape for Enid, who likes to draw in a sketchbook she carries with her. (The

Peter Sellers comedy called *The World of Henry Orient*. Enid even has a poster for it in her room. It's a movie about two teen-age girls who are obsessed with an older man—the Sellers character of the title, a goofy pianist—and how by shadowing him through New York they learn that the adult world is more compromised, but also stranger and more enchanting, than they'd imagined. *Ghost World's* plot follows *Henry Orient's*: After

Enid and Rebecca play a cruel practical joke on Seymour, a lovelorn collector of old 78s, Enid begins to hang out with him. She tells herself she's doing it so she can help him negotiate a life in which he's floundering.

Zwigoff's movie isn't as wistful as its cinematic predecessor; *Henry Orient's* world no longer exists. *Ghost World*

Enid is trapped in a world offering little more than a cineplex concession stand where upsizing by the gallon is mandatory.

moves the plot from magical to haunted, from Peter Sellers '60s to Dan Clowes '90s. The romantic artist figure Sellers played was a joke in 1964, but here even the idea of such a figure being any kind of artist at all is buried. Buscemi's Seymour isn't a musician, he's a music collector. He spends his days working in corporate management for a chain of restaurants that started its existence in the 1920s under the name "Coon Chicken Inn" and, in a more sensitive era, has evolved into Cook's Chicken.

Enid knows that the world she longs for, a world that produced the kind of Skip James blues records Seymour collects and Enid listens to over and over again, wasn't any more fair or honorable than today's. When she uses an old poster for the Coon Chicken Inn as the basis for a desultory art-class project, she's punished for it after a brief flush of unexpected success. The poster was a gesture meant to provoke, but it capitulates to her art teacher's worldview. Enid's cop-out pisses people off, but it doesn't get her anywhere.

Although she proves she's smarter than everyone else, by the end of the film she's forced to see that's not enough. It's a difficult position, and *Ghost World* wisely leaves it unresolved at the film's end. By cutting the last line of the comic book, Zwigoff brings the film to a close visually and silently. When Enid gets on a bus to nowhere, a bus reminiscent of the one on the

sleeve for the Sex Pistols' "Pretty Vacant" single, her exit doesn't seem heavy or symbolic, just inevitable.

Thinking of the Sex Pistols makes sense; *Ghost World* is animated by a tension between Seymour's 78 rpm universe and Enid's dedication to a punk ethos no one in the film can understand as anything other than a dubious fashion choice. After she dyes her hair green, Enid is again forced to defend her longing as nothing more than a gesture.

She listens to the Buzzcocks alone in her room, the volume blotting her dialogue like it would in real life but rarely does in the movies. Clowes has admitted that for him late '70s punk is the last worthwhile cultural moment. When it seeps into the film, *Ghost World* separates itself from the heaviness defined by the dark-wood of Seymour's apartment, where the glow of authenticity is sometimes a little too comforting.

It's a men's club separate from the world Enid really lives in, and when she does something to change it, her actions are foolish but necessary. In Buscemi's Seymour, Zwigoff has created a character who wears the director's heart on his sleeve. Buscemi, whose performance is as self-effacing and involving as it should be, channels the Crumbian discomfort from Zwigoff's previous feature.

Ghost World is full of sentiments absent from other films. When Seymour announces that he hates sports, or when the love of reggae is hilariously dismissed out of hand as a sign of chumpdom, the film shows that it's decidedly in a different camp from other movies about teen life. The only other film it has much in common with is Dan Zukovic's amazing, under-seen *The Last Big Thing* (1996)—the two films share video-store scenes that expose the frustration inherent in wandering aisles searching for something that's been banished. That movie was an unexpected blast of invective at '90s culture; *Ghost World*, which sets Enid adrift in the 21st century after cataloguing the last decade's vexations, seems like an elegy for it. ■

A.S. Hamrah writes for *Hermenaut* and frequently contributed to *Suck.com*. He can be reached at hamrah@hermenaut.com.

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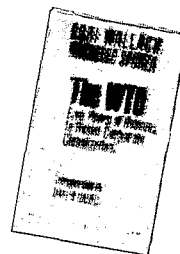


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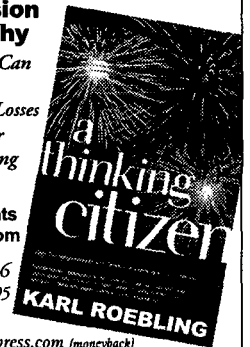
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Continued from page 38

say anything. Once she articulates this, she is able to drink a glass of water.

Eureka! A clean incision—he can reach in to remove the offending pathogen. As satisfying as extracting a thorn embedded in a lion's paw.

If this sounds familiar, it's because this is the story of the birth of psychoanalysis. The woman, referred to as "Miss Anna O." in a case study, called the method "chimney sweeping" and "the talking cure." In 1909 Sigmund Freud credited Anna O., and her doctor, colleague Josef Breuer, with the discovery that recalling incidents could relieve neurotic symptoms. (Five years later, Freud took all the credit himself.)

In their 1895 *Studies on Hysteria*, Freud and Breuer write that Anna O. recovered and went about the rest of her life in "perfect health." Ernest Jones, who worshiped Freud and wrote the first biography of him, formally blew Anna O.'s cover in 1953 (but her identity was probably an open secret in Vienna, especially in Freud's circle). She was Bertha Pappenheim (1859-1936), a distinguished social worker, writer and feminist. She headed a Frankfurt orphanage, founded a home for unwed mothers and illegitimate children, co-founded and headed the first Jewish feminist organization in Germany, and traveled the world to fight the "white slave trade"—forced prostitution.

Melinda Given Guttman's highly readable book, *The Enigma of Anna O.*, is the first full-length biography of Pappenheim. The book is valuable for its translations of some of Pappenheim's short stories and letters to religious philosopher Martin Buber, as well as its argument that Pappenheim helped with her own cure by telling and writing down stories. The biography also puts to rest the claims of Freud basher Mikkil Borch-Jacobsen that Anna O. was faking it. Guttman brings together the two strands of Pappenheim's life: "The two major responses to the misogyny and patriarchy of her times were the flight into hysteria or the fight for feminist rights. Bertha is unique, for she embodies both responses."

A famous legend, perpetuated by Freud and Jones, is that Breuer had decided to discontinue Bertha's treatment because it troubled his wife, who was growing bored and jealous at hearing her husband talk about this troubled young woman. On the day in 1882 that he ended her treatment, Breuer supposedly arrived home but was soon summoned back to his patient's apartment. He found her writhing in false childbirth. According to a letter Freud wrote in 1923, she said, "I'm having Dr. B.'s child."

According to Jones, Breuer ran out the door, and was soon off on a second honeymoon with his wife in Venice. Freud wrote later that Anna had developed "transference love," and that Breuer did not understand. Breuer, in turn, noted that in Anna O., "the sexual component was astonishingly undeveloped." Scholars tend to agree that the two

were emotionally intimate; Guttman, following Plato, calls it metaphysical "soul-love."

At any rate, after her treatment Pappenheim experienced far from "perfect health." She was in and out of sanatoria from 1881 to 1887, for symptoms that ranged from loss of language to severe jaw pain, as well as addiction to morphine and chloral hydrate. In between stays, she wrote and published stories anonymously, and in 1888 moved with her mother to Frankfurt, where she began volunteering to help the waves of Eastern European Jewish refugees fleeing pogroms and poverty.

In some ways Pappenheim was progressive; she translated Mary Wollstonecraft and founded a home for wayward Jewish girls, with no uniforms or corporal punishment. She deplored the "useless" things that girls typically learned in school, as she had: In a time when women could not enter Austrian universities, her education had ended at 16. She criticized rabbis who considered women to be inferior to men. On fact-finding visits to brothels throughout Eastern Europe, Russia and the Middle East, she showed compassion for prostitutes. But Pappenheim was also a woman of her time; she dressed and thought like a Victorian, wearing long, dark dresses. She did not believe in women's suffrage or paid social work. She sought to help Eastern European Jews discard their "inferior" culture. She even denied the Nazi threat until it was unmistakable.

By the time Pappenheim died of cancer in 1936, some 1,500 youths had passed through her institution in Neu Isenburg near Frankfurt. The home's main building was burned down during Kristallnacht in November 1938, and in 1942 adult workers and children were deported to ghettos and death camps. It's doubtful that any survived. In 1954, Pappenheim's profile graced a

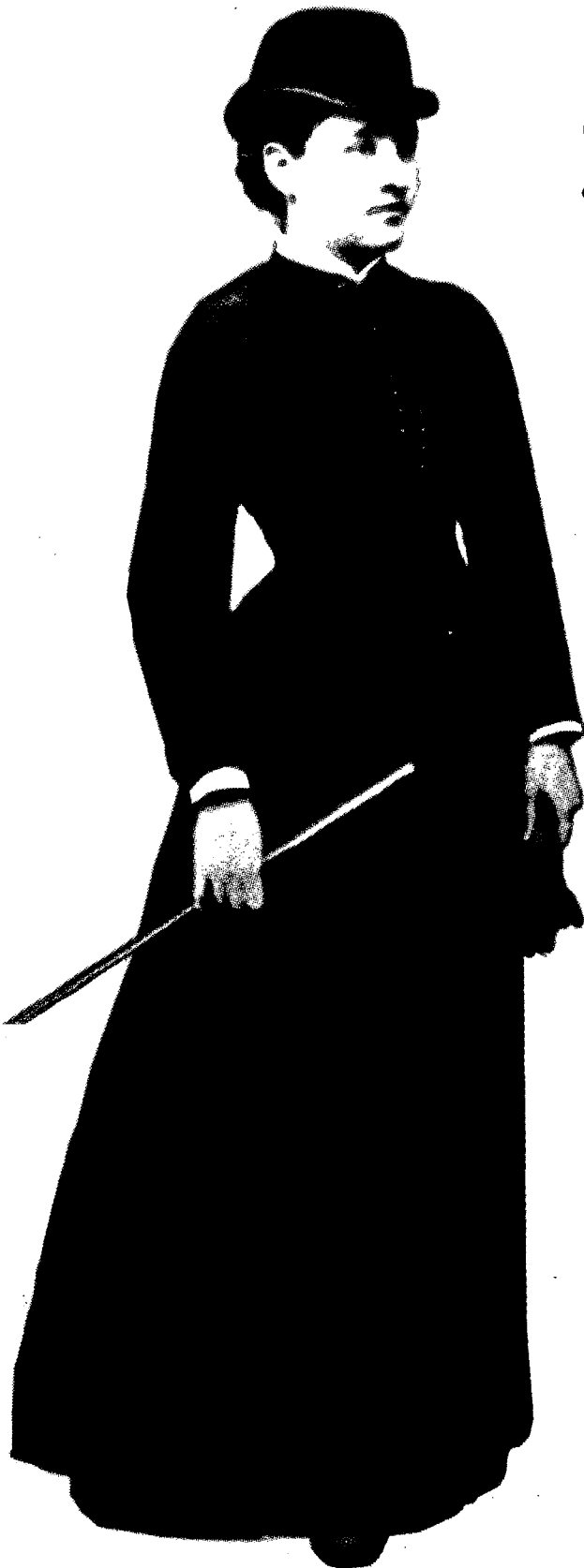
postage stamp in West Germany, part of a series titled "Helpers of Humanity," a convenient way for the new Germany to trumpet itself less than a decade after war's end. (What could be better: A Jewish woman, who died of cancer at home, buried in a visitable grave.)

In *The Enigma of Anna O.*, she emerges as lonely and strict, dedicated but short-sighted, self-sacrificing and utterly bourgeois. Not much of Guttman's material will be new to scholars of psychoanalysis or German Jewish feminist history, but the biography provides an illuminating look at a feminist who is little known in the United States. As Freud is continually defrocked and defended, it's important to have such retellings as this, of the messy and real lives that he imposed into neat case histories. ■

S.L. Wisenberg is the author of *The Sweetheart Is In*, a short story collection. Her Web site is www.slwisenberg.com.



Dr. Breuer, who treated Pappenheim.



Bertha Pappenheim, a.k.a. "Anna O."

Don't Get Hysterical

The story of Anna O.

By S.L. Wisenberg

The doctor is called. It is fall of 1880 and the father is dying of tuberculosis in the family's big apartment in Vienna. The 21-year-old daughter has been nursing him at night. Her sleeping schedule is awry—she has nodded off when sitting at his bedside, and once in the summer country house she thought she saw snakes crawling from the walls, out to get him. Terrified, she tried to push one away and found that her fingers had turned into little snakes themselves. The next day, outside playing a ring toss game, she happened upon a stick—and that turned into a snake too. Now she has "absences" where she drops out of consciousness—drops out of time—and then suddenly rejoins the conversation or activity at hand.

She's also bored, so bored that she makes up stories in her head, her own "private theater," while her body stays put. But that's not why the doctor has been called. She has a cough that won't go away, and her mother is worried. The family doctor listens and finds a "typical nervous cough"; Europe and America are full of hysterical women whose wombs have wandered to other parts of their bodies, causing symptoms ranging from fainting to choking to paralysis. When she recovers intermittently, she helps the poor and sick, which gives her satisfaction. As fall turns to winter, she develops more symptoms. She takes to her bed. She squints, hallucinates, complains of facial pains, paralyzed limbs, all worsening after her father's death.

Her doctor prescribes morphine for pain and chloral hydrate to help her sleep. She forgets her native language, German, and speaks in English, French, Italian or a mixture of all three. The doctor notes: "She had a keen, intuitive intellect, a craving for psychic fodder, which she did not, however, receive after she left school."

He massages her, hypnotizes her, visits once or twice a day. During hypnosis she tells him original fairy tales, after which she appears comforted. The doctor discovers that if he gets her to remember certain key events, her symptoms disappear. She has stopped drinking fluids, for example, getting her liquids from fruit instead. Under hypnosis he draws her back to a memory of seeing a dog drinking out of a glass. She was disgusted but too polite to

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